

STANDARD INDIANA PRELIMINARY INQUIRY & PREDISPOSITIONAL REPORT

**Standard Preliminary Inquiry, Predispositional
Report and Instructional Manual**

**Prepared by:
The Standards Committee of the
Probation Officers Advisory Board
Judicial Conference of Indiana**

**Indiana Judicial Center
115 West Washington Street
Suite 1075 - South Tower
Indianapolis, Indiana 46204-3417**

**Approved
December 8, 1994
Effective Date
July 1, 1995**

INTRODUCTION

The following is the Standard Preliminary Inquiry, Predispositional Report & Manual. It was developed by Indiana's judges and probation officers in response to the ongoing state-wide need for standardization. The development of these reports and manual follows closely on the heels of the recent promulgation of the Standard Presentence Investigation Report and Manual. Its design is similar to that of the PSI, but provides a format for collecting and reporting information useful to the juvenile court judge in considering the disposition of a juvenile.

Important Note

1. A preliminary inquiry must be attached to every predispositional report prior to submission to the court. It will serve as a face sheet for these reports.
2. The Roman numeral numbered categories in the body of the predispositional report must be answered. It should be answered at the appropriate length to be determined by the probation officer and judge. The members of the judge's Probation Committee of the Judicial Conference of Indiana believed it was important to address each category of the report in the length necessary for each juvenile. The materials in the manual are suggested questions to cover a wide range of alternatives. The questions in the manual can be used to the extent necessary by the individual probation officer.
3. The committee members also understand that many juvenile court judges will proceed to disposition at the initial hearing and a predispositional report may not be available. In this instance, the preliminary inquiry may serve as the predispositional report.

P.D.R. REPORT FEATURES

Preliminary Inquiry

The standard preliminary inquiry must be used as designed with no changes. If a section is not applicable, it can be left blank. The Preliminary Inquiry cannot be altered in any way. Any additional information required by a court should be included in the "Additional Information" section.

The preliminary inquiry should provide the court with basic information regarding an offender. It is understood that this information received from the parent(s) and juvenile will not always be able to be verified prior to the report's submission to court. However, probation officers should attempt to gather and verify all information at this stage of the proceedings.

Predispositional Report

The body of the Predispositional Report is a **format**, not a form. Each Roman numeral category must be answered in the order indicated in this manual with no exception. The category title must still be answered at the appropriate length determined by the probation officer and judge.

The Predispositional Report Manual was developed to aid probation officers in three ways: to outline what types of information can be included in each category, to assist the officer in developing that information, and to provide a comprehensive tool for the training of new probation officers.

Note: The suggested questions in the manual represent an extensive listing of **potential** information that can be considered for use in each category. Probation officers are free to utilize any or all of these questions, or to add additional questions as needed. Since the suggested questions are meant only as a guide, the probation officer can "tailor" his or her report by asking only the questions which are felt to be relevant to the specific case or juvenile.

Narrative

The writing of a predispositional report is a person to person task. The probation officer must interview the juvenile and parent(s) and gather pertinent information to the particular case, as well as discern (if possible) the attitudes, personality, home situation, etc. of the juvenile. After gathering information, the officer, through his/her expertise as a criminal justice professional, transforms this information into logical and concise narratives under each PDR category. The probation officer should then analyze this information to develop a recommendation to the court for disposition of the individual. This Standard Predispositional Report format is an attempt to help the probation officer in this overall task.

Summary

Once again, the preliminary inquiry must be used in conjunction with all predispositional reports and not altered. The format of the predispositional report, consisting of Roman numeral categories, must be answered. Each numbered category within the standard predispositional report manual is addressed in narrative form at the length determined by the informational needs and requirements of the individual case. The display of the information in the body of the report is up to the discretion of the judge and/or probation officer. This Manual, as developed, is a helpful guide to understanding what types of information may be addressed under each numbered category. The flexibility provided by this approach will help all probation throughout Indiana.

STANDARD INDIANA PRELIMINARY INQUIRY AND PREDISPOSITIONAL REPORT

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STANDARD PRELIMINARY INQUIRY AND PREDISPOSITIONAL REPORT INSTRUCTION MANUAL

Purpose, Philosophy and Overview

PURPOSE AND PHILOSOPHY

In accordance with the wishes of judges and probation officers, the Judicial Conference of Indiana has developed the Standard Preliminary Inquiry (PI) and Predispositional Report (PDR) that will be used by all courts in Indiana.

The primary use of the preliminary inquiry is to provide the court with basic information regarding the offender. Based on this information, an appropriate decision may be made regarding probable cause and detention/release options. **It may also serve as a predispositional report in those instances in which the court proceeds to disposition at the time of the initial hearing.** It should also be noted that a preliminary inquiry and the intake process are separate functions. Intake is the detention/release decision made by the probation officer and any related paperwork. The preliminary inquiry is the report prepared by the probation officer to be submitted to the court.

The primary use of the predispositional investigation report is to provide information to the Court which is essential to the judge in making an appropriate disposition. Complete and accurate information about all aspects of the case, with a recommendation when appropriate, enhances the Court's ability to order a disposition which represents the best interests of the juvenile, the family, and the community.

The purpose of developing a standard Predispositional Report is to ensure that each juvenile who comes before the Juvenile Court for disposition has a statewide standard report. Having a standard report format will help all members in the juvenile justice/corrections system in the discharge of their responsibilities.

Once the disposition has been entered, the predispositional investigation report becomes the cornerstone of a juvenile intervention plan. Information it contains can be used to develop risk assessments, needs assessments, and classification status. Whether the juvenile is on probation or committed to an institution, good intervention and proper treatment for the juvenile relies on a quality prepared PDR. Additional information can be attached so that as a juvenile progresses through the juvenile justice system, each successive correctional component will have the benefit of a complete juvenile profile.

OVERVIEW OF THE STANDARD PRELIMINARY INQUIRY AND PREDISPOSITIONAL REPORT FORMAT AND MANUAL

When a preliminary inquiry is completed, it may serve as the Predispositional Report in those cases that proceed to disposition at the initial hearing. It must be attached to the Predispositional Report (if ordered) at the time of disposition.

You will notice that the Standard Predispositional Report is based upon a "standard format" which relies upon the preliminary inquiry and a standard list of Categories requiring the reporting of all information for the body of the report in NARRATIVE form. This manual explains each section of the Standard Preliminary Inquiry and the Categories of the Standard PDR Format and how each

should be used. This "Format" allows flexibility in preparing either the short or lengthy PDR, without using bulky, non-specific fill-in-the-blank questions. Each report can be "tailored" to each Court's informational requirements.

Appendix A - Reference Materials

Appendix A contains helpful reference material to aid the probation officer in gathering information for the Predispositional Report.

Appendix B - Suggested Worksheet

Appendix B is a suggested worksheet with sample questions designed to assist the writer in obtaining useful information that can be rewritten into logical and precise narratives under each category of the Predispositional Report. The worksheet is designed as a suggested tool for the gathering of pertinent information in each category and can be modified for use in a probation department.

Appendix C - Sample Preliminary Inquiry and Predispositional Reports

In order to convey a graphic representation of what the standard PI and PDR will look like in its completed form, and to further show the **flexibility** and **versatility**, attached in Appendix C are examples of a Preliminary Inquiry and three (3) Predispositional Reports using the standard format.

Preliminary Inquiry - Sample

This sample shows how the preliminary inquiry may function without the PDR. Information that was unavailable was left blank or marked "Not applicable". However, the form remains the same.

Non-Status PDR - Sample

Because of the juvenile's extensive background and/or the complexity of the non-status offenses, a more in-depth report is required covering each category as thoroughly as possible, utilizing all categories, and reporting the pertinent information in logical and precise narratives.

Status PDR - Sample

This PDR also shows how all aspects of the preliminary inquiry and Standard Categories can be used, but in shorter, more concise form. It utilizes all categories and reports the pertinent information in logical and precise narratives.

Short-form PDR - Sample

This short PDR shows the versatility of the standard format for use in cases requiring only limited information. In this version, the use of a shorter form is shown. The standard preliminary inquiry is still completed, but only selected standard categories are used depending upon the judge's requirement. **All numbered Standard Category titles are still listed in the report and those that are not used are marked "not applicable."**

PROBATION OFFICERS REPORT OF PRELIMINARY INQUIRY AND/OR PREDISPOSITIONAL REPORT

Indiana Code § 31-37-8-2 and § 31-37-17-1

Warning: This report is confidential according to I.C. §31-39-1-2 and may only be released with specific authorization.

STATE OF INDIANA
(INSERT COURT NAME)

For use by probation
departments only

In the Matter of:
A Child Alleged to be a Delinquent Child

Date Completed: _____
Assigned P. O.: _____ Report Prepared By: _____

JUVENILE INFORMATION

Case No.(s): _____
Legal Name: _____
Alias(es)/Nickname(s): _____
Custodial Person(s) or Agency: _____
Street Address: _____ City: _____
State: _____ Zip: _____ Telephone: _____ Social Security No.: _____ DOB: _____
POB: _____ Age: _____ Race: _____
Gender: _____ Ht.: _____ Wt.: _____ Eyes: _____ Hair: _____ ID Marks: _____
Driver's Lic. No.: _____ State of Issue: _____ Status: _____

JUVENILE'S LEGAL INVOLVEMENT

____ Chg(s) pending ____ Detainer(s) ____ Inf. Adj. ____ Probation ____ Res. Plcmnts. ____ IDOC
____ DFCS Ward ____ Violations ____ Parole ____ Waived ____ Adult Status ____ Other Contacts

DELINQUENT ACT(S) INFORMATION

Alleged Offense: _____ Date Committed: _____
I.C. _____ Class (if committed by an adult): _____ Felony/Misdemeanor (Circle One)

Alleged Offense: _____ Date Committed: _____
I.C. _____ Class (if committed by an adult): _____ Felony/Misdemeanor (Circle One)

Alleged Offense: _____ Date Committed: _____
I.C. _____ Class (if committed by an adult): _____ Felony/Misdemeanor (Circle One)

Referring Agency: _____
Custody Status: _____
Co-Offender(s)/Status: _____
Case No.(s): _____

PRIOR LEGAL HISTORY

Date of Referral Charge(s) Case No. Disposition (Date/Type)

EDUCATION, EMPLOYMENT, HEALTH

School: _____ Grade/Status: _____ Special
Educational Classification: ___ Yes ___ No Special Educational Placement: ___ Yes ___ No

Mental Health Referrals: ___ Yes ___ No

Physical Problems: ___ Yes ___ No

Alcohol/Drug Use: ___ Yes ___ No

Gang Involvement: ___ Yes ___ No

If the answer is yes to any of the questions in this section, an explanation is required in the "additional information" section.

Employer: _____ Position: _____
Hours: _____ \$ _____/hr.

FAMILY INFORMATION

Father's Name: _____ SSN (if available): _____

Address: _____ Employment: _____
Hours: _____

Home Telephone: _____ Work Telephone: _____

Mother's Name: _____ SSN (if available): _____

Address: _____ Employment: _____
Hours: _____

Home Telephone: _____ Work Telephone: _____

Guardian:

Address: _____ Employment: _____
Hours: _____

Home Telephone: _____ Work Telephone: _____

Significant Other(s): _____ Relationship: _____

Address: _____ Employment: _____
Hours: _____

Home Telephone: _____ Work Telephone: _____

Siblings:

NAME	REL.	AGE	ADDRESS	LEGAL HISTORY
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ADDITIONAL INFORMATION

EVALUATION/SUMMARY

RECOMMENDATIONS

Preliminary Inquiry:

<input type="checkbox"/> Dismissal	<input type="checkbox"/> Referral to other agency
<input type="checkbox"/> Informal Adjustment	<input type="checkbox"/> Warning and Release
<input type="checkbox"/> File Petition	<input type="checkbox"/> Other

Reason _____ for _____ recommendation:

Custody Recommendation:

<input type="checkbox"/> Release to Parent	<input type="checkbox"/> Release to Guardian	<input type="checkbox"/> Informal Home Detention
<input type="checkbox"/> Formal Home Detention	<input type="checkbox"/> Electronic Surveillance	<input type="checkbox"/> Shelter Care
<input type="checkbox"/> Juvenile Center	<input type="checkbox"/> Not in Custody	<input type="checkbox"/> Other _____

Comments:

Predispositional Report:

If juvenile admits to charge, recommendations for disposition (Complete if applicable):

PRELIMINARY INQUIRY INSTRUCTIONS

The Preliminary Inquiry must be used as designed. It must be attached to every predispositional report prior to its submission to court. If a section of the Preliminary Inquiry is not applicable, it can be left blank. A box has been provided for probation departments to note any information specific to that department such as a preliminary inquiry number, finger print number, etc.

The objective of this three page standard preliminary inquiry is to make a significant amount of necessary information available to the juvenile court judge at first glance. In-depth information will appear in the body of the predispositional report within the respective categories. It is important that the preliminary inquiry is complete and accurate.

JUVENILE INFORMATION:

Case No.(s): Give complete case number. (Example: 45D01-9208-JD-563). If the PDR is being written for more than one case, list all appropriate case numbers. Do not use abbreviations or other inter-office case numbers. **Note:** Administrative Rule 8 - Uniform Case Numbering System, Supreme Court of Indiana requires all courts to use the terminology of "Case" number rather than "cause" number, although some courts still refer to case number as cause number.

Legal Name: Indicate the juvenile's true and legal name.

Alias(es)/Nickname(s): Self-explanatory.

Custodial Person(s): Indicate the person or persons who currently have legal and/or physical custody of the juvenile. **This person or persons may be the natural parent(s), step-parent(s), aunt/uncle, detention center, sheltercare facility, or other persons with whom the child is currently living and is being cared for.** If placed out of the home, the address and date of placement should be reported in Custody Status under the **DELINQUENT ACTS** section.

Street Address: Give the complete **current** address for the juvenile.

Telephone: Current contact phone, if applicable.

Social Security No.: Juvenile's social security number.

DOB: Month, day and year of birth.

POB: Place of Birth. Give city, town or county and state where the juvenile was born.

Age, Race, Gender, Ht (Height), Wt (Weight), Eyes, Hair: All self-explanatory. (Examples of Race may include: Caucasian, African American, Native American, Hispanic, Asian, etc.)

ID Marks: Include any obvious identifying marks and characteristics. These can be tattoos, scars, birthmarks, or other physical characteristics (i.e. facial hair, lack of teeth, missing appendages, etc.). Be sure to give specific location of scars, birthmarks, etc.

Driver's License No.: Many states assign a license number using a number other than the person's Social Security Number (SSN). Indiana is one of those states, although Indiana may put the SSN on the license as well. Give the license number if it is other than the juvenile's SSN. If the juvenile has no driver's license, write "None" or "N/A."

State of Issue: Self-explanatory.

Status: Give current status of the juvenile's driver's license - i.e. active, suspended, revoked, etc.

JUVENILE'S LEGAL INVOLVEMENT

The purpose of this section is to give the juvenile court judge a quick reference to the juvenile's overall current and/or prior involvement in the juvenile and/or adult justice system. Check each section in which the juvenile has had any type of involvement. These will be described further in the PRIOR LEGAL HISTORY category in the body of this report.

Chg(s) Pending: The juvenile has charges **currently** pending in any other court-related matters, whether delinquent status/non-status offense(s) or adult offense(s).

Detainer(s): Outstanding or pending warrants exist in-state or out of state due to other charges.

Inf. Adj.: The juvenile has participated previously in a program of informal adjustment according to I.C. 31-39-9-1. (This **does not** include "station-house adjustments," warn & release, lecture & release, etc. These type of informal contacts are considered to be "Other Contacts" for the purpose of using this section.)

Probation: The juvenile is or has been on juvenile or adult probation.

Res. Placement(s): The juvenile is or has been in any residential placement.

IDOC: The juvenile previously has been committed to the Indiana Boys/Girls School, any other Indiana correctional facility, or any similar facility out of state.

Parole: The juvenile is or has been on juvenile/adult parole.

Violations: Formal records exist that indicate the juvenile has previously violated the terms of his/her probation or parole. (This may also include Petition for Modification.)

DFCS Ward: The juvenile is or was a ward of the Division of Family and Children's Services (Welfare).

Waived: The juvenile has previously been waived to adult court.

Adult Status: The juvenile is currently serving an adult sentence or is on adult probation.

Other Contacts: Any other "informal contact(s) or adjustment(s)" by probation, police, or the court which do not meet the previous definition of "Inf. Adj." in this section.

DELINQUENT ACT(S) INFORMATION

Alleged Offense(s) and Date Committed: Include all charges as alleged or filed and the date committed for each offense.

I.C. Code and Class of Offense: Note the Indiana Criminal Code for each offense and the class of the alleged or filed offense if it were committed by an adult. Enter the class of the offense on the line and circle whether it was a felony or misdemeanor.

Referring Agency: Indicate the agency who referred the juvenile to the court on the current charge(s).

Custody Status: Indicate the juvenile's **current** custody status (i.e., in detention [state when placed and location]; in sheltercare [when placed and location]; with a relative or other person [with whom, when placed and address]; or, not currently placed out of home).

Co-Offender(s)/Status: List any other persons who have been charged in connection with this offense. You may wish to also give a status or short summary of any disposition(s), if known. You may utilize the "Additional Information" section for this purpose. However, the most favorable location for this type of information would be in the EVALUATION/SUMMARY category of the report.

Case Number(s): Indicate the case number(s) for any **co-offender(s)**.

PRIOR LEGAL HISTORY

Date of Referral: Indicate the date the juvenile was referred to the court on prior charges.

Charge(s): Indicate the nature of the prior referrals.

Case No.: Indicate the case number for each prior referral.

Disposition: Indicate the date of disposition and action taken (i.e. probation, commitment to DOC, etc.). Further details can be included in the "Additional information" section.

EDUCATION, EMPLOYMENT, HEALTH

School: Indicate the name of the school the juvenile currently attends or the one last attended.

Grade/Status: Indicate his/her current grade level (i.e., 7th grade), and status (i.e., suspended, expelled, currently attending, etc.).

Special Educational Classification: Indicate whether or not the juvenile has been classified as needing special educational placement while in school.

Special Educational Placement: Indicate whether or not the juvenile has been placed into a special educational program while in school, in accordance with his/her classification. Any details should be included in the "additional information" section.

Mental Health Referrals; Physical Problems; Alcohol/Drug Use; Gang Involvement: Mark "Yes" if ...1. You have found any evidence to believe that the juvenile has any history within any of these categories and, 2. You have provided an explanation of this information in the appropriate category in the "Additional Information" section of this report. This will give the juvenile court judge an "at a glance" idea of whether or not the juvenile possesses any mental, physical, or alcohol/drug related problems.

Employer, Position, Hours, etc.: Self-explanatory. Include hourly wage.

FAMILY INFORMATION

The purpose of this section is to record information regarding the juvenile's parent(s), step-parent(s) and significant others. Information regarding additional significant others may be placed in the "ADDITIONAL INFORMATION" category if needed. If any of the following is not applicable, state this or leave the line blank.

Father's Name: The juvenile's biological father. If unknown, state this. If the juvenile was adopted, the adoptive father's name may be placed here.

SSN: The father's social security number if available.

Address: The father's current home address - street, city, state, zip code.

Employment: The father's place of employment and/or type of employment. If not currently employed, state this, including father's usual type of employment, if applicable (i.e., unemployed brick layer, unemployed roofer, unemployed due to disability, etc.).

Hours: The hours of the week in which the father works (i.e., 8 a.m. - 5 p.m., etc.).

Home Telephone: The father's area code and phone number at home.

Work Telephone: The father's area code and phone number at work.

Mother's Name: The juvenile's biological mother. If unknown, state this. If the juvenile was adopted, the adoptive mother's name may be placed here.

SSN: The mother's social security number if available.

Address: The mother's current home address - street, city, state, zip code.

Employment: The mother's place of employment and/or type of employment. If the mother is a homemaker, state "not employed outside the home."

Hours: The hours of the week in which the mother works (i.e., 8 a.m. - 5 p.m., etc.).

Home Telephone: The mother's area code and phone number at home.

Work Telephone: The mother's area code and phone number at work.

Guardian's Name: The juvenile's guardian if different from the parent(s), adoptive parent(s), or step-parent(s). The guardian may be a relative, friend of the family, or some other person who has been given some form of legal guardianship of the juvenile by the Court.

Address: The guardian's current home address - street, city, state, zip code.

Employment: The guardian's place of employment and/or type of employment.

Hours: The hours of the week in which the guardian works (i.e., 8 a.m. - 5 p.m., etc.).

Home Telephone: The guardian's area code and phone number at home.

Work Telephone: The guardian's area code and phone number at work.

Significant Other(s): The juvenile's significant other if different from any of those persons listed above. The significant other may be a step-parent, relative, friend of the family, or some other person who currently plays some important role in the juvenile's life.

Address: The significant other's current home address - street, city, state, zip code.

Employment: The significant other's place of employment and/or type of employment.

Hours: The hours of the week in which the guardian works (i.e., 8 a.m. - 5 p.m., etc.).

Home Telephone: The significant other's area code and phone number at home.

Work Telephone: The significant other's area code and phone number at work.

Siblings: Enter the name, relationship, age and address of any siblings. Under "LEGAL HISTORY", indicate any prior involvement with the court system (adult or juvenile). Any details regarding prior offenses should be noted in the "additional information" section.

ADDITIONAL INFORMATION

The space in this section can be utilized by each individual court to further explain information in any other category or section of the preliminary inquiry. It can also be used to include additional information that the writer may feel the judge should see "up front." Examples of additional information may be, but are not limited to: sentencing information on co-defendant(s), information on detainers, new offenses, terms of a plea agreement, pending charges, information on significant others/relatives/step-parents, attorney(s) retained by parents, etc. An additional sheet of paper may be attached with continued ADDITIONAL INFORMATION, if necessary.

EVALUATION/SUMMARY

This section provides an opportunity for the writer to state any impressions he may have regarding the offender or any other pertinent area. This section should also include any concerns he/she has regarding the detention or release decision. Other areas may include family interaction, youth's attitude, and any previous topic discussed which the writer feels would have any impact on the judge's decision. The statements in this section should form a basis for the recommendations.

RECOMMENDATIONS

Preliminary Inquiry:

In this section, the writer is able to make recommendations to the court regarding what action should be taken with the case. The probation officer must determine if the case is appropriate for informal adjustment or whether a petition should be filed. Reasons for these recommendations may include but are not limited to:

Parents advise they have control	Supervision Available
Unlikely to Appear	Parent Refused Custody
Threat to Self	Threat to Community
Dealing in Controlled Substance	Extensive Prior Record
Involves Weapon/Injury	

Predispositional Report:

If juvenile admits to charge, recommendations for disposition: This question is provided for those cases in which a recommendation for disposition is made at the time of the initial hearing. Examples could include probation, community service work, fees, or any other special condition which would be applicable. This section may also be utilized to request that the case be set for disposition in order to complete a predispositional report if the writer feels the juvenile's history should be investigated more thoroughly.

STANDARD PREDISPOSITIONAL REPORT CATEGORIES OUTLINE

- I. COURT INFORMATION**
- II. SOURCES OF INFORMATION**
- III. PRESENT OFFENSE**
 - A. Official Version
 - B. Juvenile's Version
 - C. Parental Response
- IV. PRIOR LEGAL HISTORY**
 - A. Juvenile History
 - B. Previous Supervision and/or Placements
 - C. Adult History
 - D. Summary & Assessment
- V. VICTIM IMPACT INFORMATION**
- VI. FAMILY BACKGROUND**
 - A. Maternal History
 - B. Paternal History
 - C. Step-Parent(s) History
 - D. Parental Financial Information
 - E. Siblings
 - F. Family Relationships
 - G. Home and Neighborhood
 - H. Other Agency Involvement
- VII. JUVENILE'S BACKGROUND**
 - A. School History
 - B. Employment History
 - C. Juvenile's Financial Information
 - D. Religious Orientation
 - E. Social Orientation
 - F. Physical Health
 - G. Mental Health
 - H. Substance Use
- VIII. EVALUATION/SUMMARY**
- IX. RECOMMENDATION**

STANDARD PREDISPOSITIONAL REPORT

INSTRUCTIONS

I. COURT INFORMATION

Following disposition, this category provides the reader with specific information regarding the court in which the disposition of the current case was decided. Categories could include but are not limited to:

Name of Court	Probation Department
Judge	Probation Officer
Prosecutor	Address of Probation Dept.
Defense Attorney	C.A.S.A./G.A.L.

II. SOURCES OF INFORMATION

This category provides the reader with a **complete** listing of all the sources of information used in completing the report. Be specific and do not use local jargon which would not be understood by others.

Examples of properly reported Sources of Information:

Records of the Clark County, Indiana Prosecutor's Office.
Records of the Clark County, Indiana Juvenile Detention Facility.
Records of Jeffersonville High School, Jeffersonville, Indiana.
Records of Interventions Treatment Program, Grovertown, Indiana.
Statement of John Smith, victim.
Statements of John and Judy Jones, parents of the juvenile.
Records of the Jeffersonville, Indiana Police Department
etc., etc.

These examples are specific enough to show where information, statements and/or reports were derived for use in your report.

Examples of improperly reported Sources of Information:

Clark Co. P.O.
Clark Co. Detention
Mr. and Mrs. Jones, parents
Records of the JPD
Records of JHS

These examples are either non-specific or use local jargon/acronyms which may not be recognized by others.

III. PRESENT OFFENSE

A. Official Version

The purpose of this section is to provide the reader with a summary of the formal petition and the facts in support of the petition. The narrative should focus on details that describe the juvenile's behavior and be free of unnecessary terminology and superfluous facts. Keep in mind that probation officers complete this section by using the Delinquency Petition, the Probable Cause Affidavit, and various types of Police reports--all documents prepared for a different purpose than ours. Probation uses the documents as the basis for our own purpose--that of identifying the behavior that is delinquent and that needs to be corrected.

If you are not able to narrate the official version because of time limits or the length of the Affidavit and police report it may be appropriate to state the following:

"The complete official version of the delinquent act(s) can be found in the Delinquency Petition, the Affidavit for Probable Cause, and/or related materials attached onto this report."

This will give direction to the reader as to where to find the official version. If this method is used it will be necessary to attach that information to the predispositional report, as indicated.

B. Juvenile's Version

The purpose of this section is twofold: (1) it affords the juvenile the opportunity to make a statement about their behavior and the extent of his/her involvement in the offense(s), and (2) it affords the probation officer the opportunity to probe into the mind of the juvenile in order to determine the level which they comprehend the seriousness of their situation. This determination is a key element in assessing the likelihood of future illegal behavior.

The juvenile may make his/her own written statement. If the juvenile's statement is taken by the probation officer during an interview, attempt to take direct quotations. Ask the juvenile if he/she was under the influence of drugs or alcohol during the commission of the offense. Also, if other persons are involved, inquire into what this particular juvenile's role was in the offense(s). If there is significant difference between the juvenile's version and the official version, this should be noted. If the juvenile will not admit his/her involvement in the offense, note this in your report. You may try to elicit information as to how he/she perceives his/her innocence.

Another purpose of this section is to gain an understanding of the juvenile's attitude toward his/her offense and victim. Also, be observant for what the potential may be for improved behavior based primarily upon his/her statement. (Example: Is the juvenile remorseful, does he/she exhibit regret and understanding into his/her charge(s) and the resulting consequences.) Inquire as to what the juvenile's attitude is toward the victim and what was his/her motivation for the offense.

C. Parent(s) Response

The purpose of this section is to determine the level of responsibility and the degree of positive influence that exists in the parent-child relationship. That determination can be revealed by learning how the parents have responded to the child's illegal behavior. This is another key element in assessing future behavior.

IV. PRIOR LEGAL HISTORY

This category reports all juvenile referrals and adult arrests (if applicable) in such a way that they are easily understood and interpreted by the reader. This category is divided into three sections.

If any one of the sections does not apply, for example "Adult History," be sure to list the section and then mark it "No Record" or whatever is appropriate.

A. Juvenile History

Provide any juvenile referral history, where the juvenile has been formally adjudicated, or informal referrals where the juvenile has admitted responsibility. Do not list charge(s) that involve unfounded information. After the information has been collected, list in chronological order the dates of delinquent acts, charges or complaints, and the respective dispositions.

The disposition may include, but not be limited to: warned and dismissed, referred to other agency, informal adjustment, court petition, or waiver. Also, include dispositions such as community service, probation, placement, treatment, IBS, IGS, fees, detention time, or any other relevant information. **List case or cause number, county and state.**

Every attempt should be made to verify information when possible. Note whether the information was verified.

B. Previous Supervision and/or Placement(s)

The objective of this category is to collect significant information about any previous supervision, treatment, or correctional placements used by the Court or any other agency on the juvenile. Included in this section should be informal adjustments, previous probation supervision, mental health placements, substance abuse placements, private child-caring institutions, foster homes, group homes, or institutional commitments.

The officer should briefly outline the nature of the presenting behavior prior to the placement or supervision and identify the goals, objectives, and outcomes of such placements and supervision. These should be listed in chronological order so that the reader easily understands the sequence of events.

In the summary section, the officer should note what interventions were successful with regard to reducing criminogenic behavior and estimate the probability of success using similar interventions in the case being prepared for Court. If there were any interventions that were wholly unsuccessful and why they were unsuccessful, these also should be noted.

C. Adult History

List any adult arrest history, where the juvenile was waived to adult court or where the juvenile was automatically placed in adult court due to the nature of the offense. List chronologically each criminal arrest, date, charge(s) or complaint(s), case and/or cause number, county and state, and disposition with appropriate date. Dispositions may include but are not limited to: dismissed, diversion program, suspended or split disposition, length of disposition, length of probation, community corrections, mental health/substance abuse treatment, fines, costs, etc.

In those instances where the offense is a class "D" felony, indicate whether the conviction and sentencing is for a misdemeanor or felony. Also, include relevant information about probation and parole violations and dispositions, if available.

D. Summary & Assessment

The objective of this section is to provide the officer an opportunity to draw together all of the relevant information from the Prior Legal History category and to summarize and make some assessments regarding the overall history of delinquency of the juvenile. If a more detailed account regarding specific offenses is needed, this would be the section where that information could be included.

V. VICTIM IMPACT INFORMATION

The category should be completed in this manner:

1. If no victim, state "NOT APPLICABLE";
2. If no statement was received from the victim, state "NONE OBTAINED"; or
3. "See Attached Statement"

The use of a Victim Impact Statement and related information in the predispositional report and dispositional proceeding is not mandated by statute in Indiana, as it is for an adult sentencing. However, the Probation Officers Advisory Board of the Judicial Conference of Indiana recommends that these statutory victim impact guidelines also be followed in preparing the predispositional report. The guidelines for this statement are set forth in IC 35-38-1-8.5. The example a Victim Impact Statement or one prepared by the court need not be incorporated into the body of the report, but may be attached or referred to as an exhibit. **Sample Information can be found in the References portion of this manual in APPENDIX A.**

The purpose of this statement is to enable the victim or victim's representative to have an opportunity to make either an oral or written statement to the Court in reference to the impact of the delinquent behavior and its resulting effect(s) on the victim's life. This is also an opportunity for you as a PDR writer and probation officer to gain some understanding into the effect(s) the delinquent behavior has had or is having on the victim(s).

The victim(s) can give you their opinion, comments, etc. either in writing or verbally. If taking an oral statement you should reduce the comments to written form. Use direct quotes when possible.

Any letter or other correspondence received from the victim(s) may be attached to the report with reference being made that it is attached therein.

Ensure that the victim has the opportunity to report any information, especially the financial, emotional, and physical effects of the delinquent behavior on the victim. If there is any financial loss to the victim it needs to be addressed at this time with specific amount of the loss given.

Additional information concerning the IDOC's duties in relation to victims of violent crimes can be found in House Enrolled Act 1566 (7/1/93). Although there is no mandate requiring juvenile probation departments to report information concerning victims of violent crimes to the IDOC, it was the agreement of the Probation Officers Advisory Board and the IDOC that the notification procedures outlined for violent crime victims in adult cases should also apply in juvenile delinquency cases where the adjudicated juvenile is likely to be committed to either the Indiana Boys or Girls Schools.

Sample victim information, H.E.A. 1566 concerning violent crime victims notification, including a memorandum explaining procedures in this area from the Indiana Judicial Center and additional information, are attached in Appendix A.

V. FAMILY BACKGROUND

The objective of this category is to collect significant information about the juvenile and the environment in which he/she developed during his/her formative years. Information included should be **tailored to the needs and requirements of each individual report** and should be reported in the form of a narrative summary.

A. Maternal History

The objective of this section is to provide a personal profile of the juvenile's biological mother. In the case of adoption, or some other situation where the natural parent is not known, the information regarding the juvenile's adoptive mother or other custodial significant other may be reported here. Relevant information may include, but is not limited to, the mother's full name, date and place of birth, information on her current and/or prior marriages (dates, locations, etc.), current and past employment, prior legal history, health status and any other pertinent personal information. **See Appendix B, Worksheet, for example questions.**

B. Paternal History

The objective of this section is to provide a personal profile of the juvenile's biological father. In the case of adoption, or some other situation where the natural parent is not known, the information regarding the juvenile's adoptive father or other custodial significant other may be reported here.

Relevant information may include, but is not limited to, the father's full name, date and place of birth, information on his current and/or prior marriages (dates, locations, etc.), current and past

employment, prior legal history, health status and any other pertinent personal information. **See Appendix B, Worksheet, for example questions.**

C. Step-Parent(s) History

The objective of this section is to provide a personal profile of the juvenile's step-parent, if applicable. Relevant information may include, but is not limited to, the step-parent's full name, date and place of birth, information on his/her current and/or prior marriages (dates, locations, etc.), current and past employment, health status and any other pertinent personal information. **See Appendix B, Worksheet, for example questions.**

D. Parental Financial Information

The objective of this section is to provide the court with a profile of the family's current assets, expenses, and income. This information is especially significant in matters where the court must determine indigency, ability to pay for various court-referred services, attorney's fees, restitution on behalf of the juvenile, etc. A worksheet to assist in gathering appropriate information for this section is provided in **Appendix B, Worksheet.**

Please note that it may be necessary to utilize more than one worksheet for separate parental incomes in family situations where there are divorced or separated parents, or where the child is living with a guardian or family member, etc. A separate worksheet to report specific financial information for the juvenile, if applicable, is located in category VI, section C., "Juvenile's Financial Information," with corresponding worksheet found in Appendix B.

E. Siblings

The objective of this section is to provide a personal profile of the juvenile's siblings and/or step-siblings, if applicable. Relevant information may include, but is not limited to, the name(s), age(s), school status, employment, prior criminal/juvenile record and any other pertinent information. **See Appendix B, Worksheet, for example questions.**

F. Family Relationships

The objective of this section is to summarize the interpersonal relationships within the family structure. How does each get along with the other, and how do they feel about the other? By using the example questions in the attached worksheet, the probation officer can gather appropriate information to compare and contrast various family dynamics, such as: parental practice of their authority, sibling acceptance of that authority, corporal punishment vs. passive punishment, how each member of the family perceives the other, and most of all, how the juvenile relates to and feels about his/her family, and how all of this may or may not relate to the juvenile's delinquent behavior. **See Appendix B, Worksheet, for example questions.**

G. Home and Neighborhood

The objective of the section is to summarize information concerning the juvenile's home and neighborhood environment. Is there some correlation or relationship between the juvenile's environment and his/her delinquent behavior? **See Appendix B, Worksheet, for example questions.**

H. Other Agency Involvement

The objective of this section is to report on current or former services which are being, or have been, provided by other agencies within the community (i.e., Youth Services Bureau, private residential placements, Big Brother/Big Sister, church/religious assistance programs, etc.). **See Appendix B, Worksheet, for example questions.**

VII. JUVENILE'S BACKGROUND

The purpose of this category is to chronicle and describe the significant events and influences in the juvenile's life in the areas of school, employment, social orientation, all aspects of his/her health and any use of drugs, alcohol and/or other substances.

It is recommended that the probation officer obtain, when possible, official academic and disciplinary records from the school as well as agency admission and discharge summaries if applicable. Interviews with parents, teachers, student deans, counselors, and employers are strongly encouraged.

A. School History

The purpose of this section is to report all relevant information concerning the juvenile's schooling. Information to be reported should include, but is not limited to, current or most recent level in school, current status (attending, suspended, expelled, etc.), past suspensions/expulsions, any disciplinary actions taken, attending special educational classes, program curriculum, etc. **See Appendix B, Worksheet, for example questions.**

B. Employment History

This section will assist the probation officer in presenting an overview of the juvenile's work history, if applicable. Information regarding the juvenile's work experience (type of work, performance, attendance, attitude, compensation, etc.) will assist in the overall evaluation of the his/her attitude, dependability, and potential for accepting responsibility and following direction. Was the juvenile encouraged or forced by his parents to work, or was this on his/her own initiative? **See Appendix B, Worksheet, for example questions.**

C. Juvenile's Financial Information

The purpose of the section is to report, where applicable, the juvenile's specific financial information. There are times when a juvenile may be holding a part or full time job, has dependents of his/her own, owes child support, and/or owns valuable personal property such as a stereo, T.V., automobile, jewelry, etc. This information is important to the court, especially in matters where the child may be responsible for restitution to a victim, where he/she had previously been emancipated, etc.

D. Religious Orientation

This information can be very meaningful to the court in evaluating the socialization of the juvenile. The juvenile and his/her parents should be encouraged to provide this information. The objective is to help assess the juvenile's morals/values, how these might relate to his/her current and past behaviors, etc. Typical questions might include:

1. What is the family's religious or spiritual affiliation? (e.g., Christian, Moslem, Native American, Jewish, etc.) Which denomination?
2. Name of Church/Mosque/Synagogue/Temple?
3. What is the length of membership and frequency of attendance?
4. What is the child's attitude (positive/negative) regarding his/her family's religion, or does he/she have different beliefs/practices?
5. What significance, if any, has religion had in the juvenile's life?
6. Has the juvenile ever been involved in a religious cult or experienced ritualist abuse?

E. Social Orientation

The purpose of this section is to allow for an opportunity to report and contrast information concerning the juvenile's upbringing, and thereafter provide some evaluation of the results of the juvenile's social orientation in relation to his/her delinquent behavior.

Important events such as complications at birth, adjustment to kindergarten and elementary school, ability to make friends and the resulting friendships, religious vs. non-religious upbringing, hero figures, **gang affiliation**, etc. are just a few of the many factors which lend to the formation of the juvenile's "social orientation." Was he or she ever physically or sexually abused? Has he or she ever witnessed such abuse? Questions such as these need to be asked and explored, yet reported in an evaluative summary. **See Appendix B, Worksheet, for example questions.**

F. Physical Health

The purpose of this section is to report any health problems of the juvenile. Obtain a signed release of confidential information. Find out when the juvenile was last treated by a physician and if he/she is taking any medication. The prescription name, number and Pharmacy will be helpful to indicate potential abuse problems and for information in confirming urine screens. Regarding physical impairments, indicate if the juvenile wears glasses, has dental problems, or experiences any other types of illness or physical disability. List illness(es) or injury(ies) that could effect health or limit physical activities. Provide H.I.V. information if required by statute. Use your narrative to expound upon anything unusual, and a summary to tie all of the information together. **See Appendix B, Worksheet, for example questions.**

G. Mental Health

The purpose of this section is to report any treatment or counselling the juvenile has received from mental health professionals. Obtain a signed release of confidential information. Try to get a discharge summary for any completed treatment. If the juvenile is currently in treatment, obtain progress reports and a prognosis. Report on any suicide attempts and explain. If the family has a history of mental illness or counselling, report this information and how it might correlate with the juvenile's behavior. Use a summary to tie all of the information together. **See Appendix B, Worksheet, for example questions.**

H. Substance Use

The purpose of the section is to report the juvenile's abuse of legal and illegal drugs and other substances which produce alterations of mood and physiological functioning. This information should include age of first use and frequency of current use. If the juvenile has been in counseling or treatment for substance abuse, obtain a discharge summary for any completed treatment or a progress report concerning current involvement. If there is evidence of substance abuse, refer the juvenile for a formal substance abuse evaluation, or recommend that the Court order the child to do so. Unless certified as an addictions counselor, a probation officer should not make a personal diagnosis concerning the juvenile's involvement and recommended treatment. Education and/or treatment referral recommendations will be made by the substance abuse professional, as well as a prognosis upon completion of the recommended program.

A formal evaluation is essential in determining not only the juvenile's substance abuse, but in establishing parental abuse of substances and the possibility of genetic links to alcoholism and other addictions. Including the diagnosis as a result of a substance abuse evaluation, or recommending to the Court that an evaluation be done, will provide the probation officer and the Court with valuable information. Education or treatment will provide the juvenile with alternatives to abusing substances while alleviating negative legal consequences. Through treatment, the juvenile has an opportunity to experience a drug-free lifestyle and deal appropriately with life's problems. **See Appendix B, Worksheet, for example questions for making your assessment.**

VIII. EVALUATION/SUMMARY

A Probation Officer has interviewed the juvenile, contacted family members, treatment providers, etc. and should be in a good position to make evaluation for the court. The purposes of

this category should be used to: (1) Outline the results of the investigation in a way that the reader can comprehend the causative factors contributing to the child's delinquent behavior; (2) Measure the probability of future delinquency against the potential for rehabilitation; (3) To research and define the services utilized in the past and assess and determine what services will be needed in the future; and (4) Compare and contrast other pertinent information regarding treatment of co-defendants, feeling of the victim/family members/community at large, etc.

In order to achieve the objective of this category, it is suggested that the predispositional report writer employ an analytical approach for each case.

1. Identify the individuals and events that influenced the child during the formative years.
2. Use statements, facts, and impressions to describe what kind of person the child appears to be in light of known behavior.
3. State any concerns that your analysis reveals which might impact on the safety of the community or the child.
4. Indicate the areas of need that, if effectively addressed by appropriate court intervention, would contribute to the child's potential for future law abiding behavior.
5. Determine which forms of treatment are needed and identify services and facilities that can address the problems of the child.

IX. RECOMMENDATION

The purpose of this category is to make a sound and logical recommendation for the disposition of this case based upon the conclusions that have been drawn from the Evaluation/Summary in accordance with the procedures adopted by the court of jurisdiction. In considering a recommendation:

1. Review the juvenile's history of delinquency along with the information pertaining to the juvenile's behavior in school and the status of his family.
2. In considering the disposition of the case all available alternatives should be considered. (i.e. probation, home detention, in-patient mental health treatment, foster care, therapeutic foster care, long term residential care, IDOC commitment, etc.).
3. Determine if a local coordinating committee meeting is required as a result of the recommendation you are making to the court in the case. The statute requiring the convening the Local Coordinating Committee is IC 31-38-1.
4. In cases where a recommendation for a restrictive placement is offered, the probation officer should develop a long range treatment plan which should include discharge plans.

Sample recommendations can be found in the attached "Sample Reports" (**Appendix C**).

SIGNATURE

The probation officer who completed the predispositional report should sign it. If local policy dictates, a supervisor or chief may co-sign the report.

ATTACHMENTS

Any attachments should (Except Victim Impact Statement) be placed at the end of the report.

APPENDIX A

REFERENCES FOR PDR MANUAL

- 1. Victim Impact Information and Examples**
- 2. Violent Crime Victim Notification (H.E.A. 1566) and Example Forms**

EXAMPLE VICTIM IMPACT INFORMATION

Name of Victim _____

Address _____

Telephone (H) _____ (W) _____

Name of Personal Representative _____

Address _____

Telephone (H) _____ (W) _____

Cover letter and impact statement forms sent (date) _____

Impact statement received (date) _____

List of Contacts _____

Contacts regarding Impact Statement (include dates, persons, etc.) _____

Additional Information _____

EXAMPLE LETTER FOR VICTIM
TO BE SENT FROM PROBATION OFFICER

Date:

RE: Case No. _____

Dear: _____

This office is conducting a predispositional investigation on the juvenile in the above-mentioned case number. This juvenile is scheduled to receive a final disposition by the Court in the very near future. The predispositional report contains information about the offense(s) committed and the juvenile's background. As a victim, you have certain rights which are listed below:

1. To report your losses and/or damages;
2. To report the way the offense has affected you and/or your family;

This information is important and your cooperation is requested. In order to include your statement and/or your claim for restitution in my report, I must speak with you as soon as possible. Please complete and mail the enclosed Victim's Impact Statement, and call me at your earliest convenience. I can be reached at _____. If I am unavailable, please leave a specific message for a return call. Failure to comply by _____ could result in your personal statement and restitution claim not being considered.

Sincerely yours,

Probation Officer

EXAMPLE VICTIM IMPACT STATEMENT

Because you were the victim of a property or bodily injury crime, you may have suffered some loss which, under certain circumstances, the Court may order the Juvenile to repay. You may also wish the Court be made aware of how the offense has affected you and/or your family and may want to make a statement. Please do so by completing the information below and returning the form to:

1. Your total loss and/or expenses resulting from the offense:

- a. Value of property stolen: _____
- b. Value of property damaged (cost to repair): _____
- c. Medical and/or counseling expenses incurred: _____
- d. Loss of wages: _____
- TOTAL CLAIM FOR RESTITUTION: _____

2. Total amount covered by insurance: _____

The name and address of your insurance company and agent:

Company: _____ Agent: _____

Address: _____ Phone: _____

Policy Number: _____ Claim Number: _____

Amount of your deductible: _____

3. You and/or your victim's representative may provide the Court with a statement on how the offense has affected you and/or your family along with any recommendations for sentencing you may have. Please submit your statement on a separate letter and attach it to this form.

CERTIFICATION

I hereby certify, under the penalties for perjury, that the above representations are correct to the best of my knowledge.

Signature of Victim, Guardian, or Representative

Case Number: _____ Date: _____

Juvenile (if disclosed): _____

Probation Officer: _____

EXAMPLE OF VICTIM'S INFORMATION

As a victim of a felony offense, the following information may be of concern to you and/or your family:

1. As a victim, you have a right to be given an opportunity to make a statement to the Court prior to the final disposition of the juvenile.
2. A victim of a felony offense or his/her representative may request that the Department of Correction notify him/her when the committed juvenile is:
 - a. To be discharged from the Indiana Boys/Girls School.
 - b. To be released on parole; or
 - c. Has escaped;
3. Your request must be made in writing at least forty (40) days before the discharge, release or hearing occurs. Your request should be made to the:

Department of Correction
Victim Assistance
Indiana Government Center South
302 West Washington St., Room E-334
Indianapolis, Indiana 46204
ATTN: COORDINATOR

If such a request is made, the department shall supply the requested information to the victim or the representative.

4. In 1978, the Indiana General Assembly enacted the Violent Crimes Compensation Division to provide limited financial assistance to victims and families of victims of violent crime. You can obtain an application by calling (317) 232-3808 or by writing the Violent Crimes Compensation Division, 402 W. Washington St., Indianapolis, Indiana 46204.

If you have any additional questions, you may call the probation officer assigned to your case at _____, probation officer _____.

TO: All Chief Probation Officers and Staff

FROM: George M. Walker
Probation Coordinator

RE: H.E.A. 1566, Violent Crime Victim Notification
Update and Recommended Procedures

DATE: July 19, 1993

The Probation Officers Advisory Board met with Cathy Hall, Victim/Witness Service Coordinator for the Indiana Department of Correction (IDOC), on July 13, 1993, in order to fashion a cooperative understanding and implementation of House Enrolled Act 1566. Portions of the statute are unclear and may be unworkable in their present form. However, they may be modified by the next session of the Indiana General Assembly. Until that time, the following procedures and forms are suggested for the use of you and your department to provide a uniform implementation of the new violent crime victim notification law and answer some of your questions already posed.

1. Violent Crime Victim List. A "VIOLENT CRIME VICTIM LIST" form for use by all probation departments in notifying the IDOC under H.E.A. 1566 is enclosed. The Advisory Board and IDOC agreed that a standard form was necessary so that all probation departments would convey similar victim information as required by the new law. The suggested standard form is enclosed and ready for your use. The Advisory Board has referred this form to the Judicial Conference Board of Directors for promulgation as a required statewide instrument.

2. Forward Violent Crime Victim List to IDOC. Although H.E.A. 1566 requires that the probation department shall supply the IDOC with violent crime victim lists "...as soon as possible but not later than five (5) days from the receipt of the information from the victim," both Ms. Hall and the Advisory Board agree that this was not the actual intent of the drafters of the bill. Until this language can be corrected later this year or during next year's legislative session, the IDOC and the Advisory Board agreed to suggest that the more appropriate time for sending the victim list information to the IDOC would be within 5 days after the offender's court-ordered commitment to the IDOC, in a separate mailing, not with the PSI/PDR.

3. **Notification of Violent Crime Victims.** In order to assist probation departments in notifying violent crime victims of their rights under H.E.A. 1566, the Standards Committee of the Probation Officers Advisory Board recommends two (2) suggested letters. One letter can be used during the Presentence victim contact, and the other letter can be used as a "post-commitment" notification. It was felt that two different letters for victim contact would be best, since a probation officer does not usually know that the offender will actually receive any executed prison time prior to sentencing. Again, these are "suggested" letters and can be adapted for use by probation departments either in whole or in part.

4. **Definition of Violent Crime.** For the purpose of complying with H.E.A. 1566, a "violent crime" is defined as... "A crime under the Indiana Code that is a felony of any kind or a Class A misdemeanor **that results in bodily injury or death to the victim...**" Please see the attached "List of Violent Crimes."

5. **Revocation - Victim List.** The question was raised concerning the responsibility of probation to provide a violent crime victim list to the IDOC upon the revocation an offender's probation and commitment to the IDOC. It was Ms. Hall's request, and the Advisory Board members agreed, that probation departments make every effort to provide the IDOC with a violent crime victim list in any situation where a violent crime offender is committed to the IDOC.

*** 6. **Juvenile Violent Crime Cases.** It was also the agreement of the Advisory Board and b IDOC that the notification procedures outlined above should also apply to victims of violent crimes in juvenile delinquency cases where the adjudicated juvenile is likely to be committed to either the Indiana Boys or Girls Schools.

We hope the above information and guidelines will answer most of your questions in regard to complying with H.E.A. 1566. The Center staff thanks Tom Frederick, Chair, the members of the Probation Officers Advisory Board, as well as Cathy Hall of the IDOC, for their assistance and cooperation in this effort. If you have questions, please feel free to call me or Jeffrey Bercovitz at (317) 232-1313, or Ms. Cathy Hall at (800) 447-5604 or (317) 232-1756.

GMW

(Local Probation Department Letterhead)
VIOLENT CRIME VICTIM LIST

DATE:

Coordinator
Victim/Witness Services
Indiana Department of Correction
E 334 Indiana Government Center South
302 West Washington
Indianapolis, Indiana 46204

Juvenile:
Case Number(s):
Offense(s):
Date Committed to Indiana Boys/Girls School:

Probation Officer: _____ Telephone: () _____ **Name(s),
address(es) and telephone number(s) of victim(s):**

1. Name: _____ Address: _____

_____ Phone: () _____ Notify: _____
____ Yes ____ No

2. Name: _____ Address: _____

_____ Phone: () _____ Notify: _____
____ Yes ____ No

3. Name: _____ Address: _____

_____ Phone: () _____ Notify: _____
____ Yes ____ No

(ATTACH ADDITIONAL SHEET(S) IF NECESSARY)

*** TO BE SENT TO THE IDOC WITHIN 5 DAYS AFTER COMMITMENT, IN A
SEPARATE MAILING, NOT WITH THE PSI/PDR.**

(Suggested letter to include in the Predispositional notification of victims of violent crimes per H.E.A. 1566, in addition to your current Victim Impact Notification procedure)

(Local Probation Department letterhead)

(DATE)

(NAME AND ADDRESS OF VICTIM/NEXT OF KIN)

RE: STATE OF INDIANA VS _____(optional)
CASE NO.

Dear _____:

This letter is to further advise you of your rights as a victim, or next of kin of a victim, in the above-cited case. If the juvenile is **committed** to the Indiana Department of Correction (Indiana Boys or Girls School) for any amount of time:

1. You have the right to be notified by the Department of Correction of any parole hearing, release on parole, escape, or discharge from commitment.

2. Your name, address and phone number will be automatically forwarded to the Department of Correction, **unless you fill out and return the response form below indicating that you do not wish to be notified.**

Sincerely,

Probation Officer

PLEASE RETAIN THE ABOVE PORTION FOR YOUR RECORDS

If you do not wish to receive the notification as described above, please check the following response and **return** this portion of the letter to my office within (10) ten days.

___ No, I do not request notification.

*(Case No.)

*(Defendant's Name) (optional)

(Date)

(Victim's Printed Name)

(Victim's Signature)

(*Case No. and Defendant's Name should be pre-typed by the sending probation department)
(Suggested letter for post-commitment notification to violent crime victim per H.E.A. 1566).

(Local Probation Department letterhead)

(DATE)

(NAME AND ADDRESS OF VICTIM/NEXT OF KIN)

RE: STATE OF INDIANA VS _____(optional)
CASE NO.

Dear _____:

This letter is to advise you that the above-cited juvenile was committed to the Indiana Boys or Girls School. As the victim of a violent crime, your name has been sent to the Indiana Department of Correction (IDOC) for the notification process.

You are responsible to notify the Department of Correction if you change your address or telephone number.

To report a change, contact:

Coordinator
Victim/Witness Services
Indiana Department of Correction
E334 Indiana Government Center South
302 W. Washington Street
Indianapolis, Indiana 46204
(800) 447-5604 (**In Indiana only**)
(317) 232-1756 (**Outside Indiana**)

Sincerely,

Probation Officer

VIOLENT CRIMES
AS DEFINED BY H.E.A. 1566

35-43-1-1 FA	Arson/FA
35-43-1-1 FB	Arson/FB
35-43-1-1 FC	Arson/FC
35-43-1-1 FD	Arson/FD
35-42-2-1 FC	Battery/FC
35-42-2-1 FD	Battery/FD
35-42-2-1 MA	Battery/MA
35-42-4-3 FA	Child Molesting/FA
35-42-4-3 FB	Child Molesting/FB
35-42-4-3 FC	Child Molesting/FC
35-42-4-3 FD	Child Molesting/FD
35-42-3-3 FB	Criminal Confinement/FB
35-42-3-3 FC	Criminal Confinement/FC
35-42-3-3 FD	Criminal Confinement/FD
35-42-4-2 FA	Criminal Deviate Conduct/FA
35-42-4-2 FB	Criminal Deviate Conduct/FB
35-42-2-2 FC	Criminal Recklessness/FC
35-42-2-2 FD	Criminal Recklessness/FD
35-42-2-2 MA	Criminal Recklessness/MA
35-42-1-6 FC	Fetocide/FC
35-42-1-4 FC	Involuntary Manslaughter/FC
35-42-1-4 FD	Involuntary Manslaughter/FD
35-42-1-1 F	Murder/F
35-46-1-4 FB	Neglect of a Dependent: Child Selling/FB
35-46-1-4 FD	Neglect of a Dependent: Child Selling/FD
9-30-5-2 MA	Operating Vehicle while Intoxicated/MA
9-30-5-5 FC	Operating Vehicle while Intoxicated, Death/FC
9-30-5-4 FD	Operating Vehicle while Intoxicated, Serious Bodily Injury/FD 9-30-5-3 FD Operating Vehicle while Intoxicated, .10%, Previous/FD
35-42-4-1 FA	Rape/FA
35-42-4-1 FB	Rape/FB
35-42-1-5 FC	Reckless Homicide/FC
35-42-5-1 FA	Robbery/FA
35-42-5-1 FB	Robbery/FB
35-42-4-8 FC	Sexual Battery/FC
35-42-4-8 FD	Sexual Battery/FD
36-44-1-5 FD	Sexual Misconduct/FD
35-42-4-5 FA	Vicarious Sexual Gratification/FA
35-42-4-5 FB	Vicarious Sexual Gratification/FB
35-42-4-5 FC	Vicarious Sexual Gratification/FC
35-42-4-5 FD	Vicarious Sexual Gratification/FD
35-42-1-3 FA	Voluntary Manslaughter/FA
35-42-1-3 FB	Voluntary Manslaughter/FB

List compiled by the Office of Victim/Witness Services, Indiana Dept. of Correction, July 20, 1993, in cooperation with the Indiana Judicial Center. Questions should be referred to Cathy Hall, Coordinator, Victim/Witness Services, IDOC, (317)232-1766.

APPENDIX B

SUGGESTED WORKSHEET

**INDIANA STANDARD
PREDISPOSITIONAL REPORT**

WORKSHEET

STANDARD PREDISPOSITIONAL

REPORT

The following Worksheet was developed for use as an "**interview tool**" for collecting pertinent information for the standard predispositional report. It is designed to assist the probation officer by providing possible questions that may be asked in order to collect appropriate information from the juvenile, parents, and other sources.

The worksheet follows the order of the standard predispositional report format, category by category. The questions provided are not all-inclusive, but are intended to help the probation officer understand what types of questions may be asked in order to obtain enough information to write an appropriate narrative.

Once the information for each category is obtained, the officer can take each bit of information and tie it all together in an analytical and coherent narrative summary. Again, the questions provided are only a start. Different cases require different focuses and, therefore, certain information is more important to obtain and to emphasize than other less important information.

This Worksheet is provided for general use and can be copied, reformatted for computer use, or improved by adding additional questions.

II. SOURCES OF INFORMATION

List all sources from which you received information to complete this report. Refer to the examples provided in the Manual for proper use.

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.

III. PRESENT OFFENSE

A. OFFICIAL VERSION

See Manual.

B. JUVENILE'S VERSION

See Manual.

C. PARENTAL RESPONSE

See Manual.

IV. PRIOR LEGAL HISTORY

A. JUVENILE

The following worksheet is a data collection tool. It is not necessarily the way this information must be displayed in a predispositional report. How this information is placed in the predispositional report should be determined by each probation department.

	a. Date of Delinquent Acts b. Cause or Case # County, State	Charge(s) or Complaint(s)	Date of Disposition Type of Disposition	Verified Y/N c.
1.	a. _____	_____	_____	_____
	b. _____	_____	_____	_____
	c. _____	_____	_____	_____
2.	a. _____	_____	_____	_____
	b. _____	_____	_____	_____
	c. _____	_____	_____	_____
3.	a. _____	_____	_____	_____
	b. _____	_____	_____	_____
	c. _____	_____	_____	_____
4.	a. _____	_____	_____	_____
	b. _____	_____	_____	_____
	c. _____	_____	_____	_____
5.	a. _____	_____	_____	_____
	b. _____	_____	_____	_____
	c. _____	_____	_____	_____

Attach additional sheets if necessary. Please do not use abbreviations or acronyms. Disposition information should include, but is not limited to: warned and dismissed; informal adjustment;

formal petition and adjudication; suspended commitment; formal/informal probation and length; placements; IBS/IGS; any probation violations; special rules; and all pertinent dates.

B. PREVIOUS SUPERVISION AND/OR PLACEMENT(S)

The officer should list all previous supervisions or placements regarding the juvenile. These should include informal adjustments, previous probation supervision, foster home, group home, private child-caring placements, correctional commitments, mental health and substance abuse commitments. Identify the length of placement(s), precipitating behavior(s) and outcome(s) of such placement(s).

1.

2.

3.

4.

5.

C. ADULT

The following worksheet is a data collection tool. It is not necessarily the way this information must be displayed in a predispositional report. How this information is placed in the predispositional report should be determined by each probation department.

	a. Date of Delinquent Acts b. Cause or Case # County, State	Charge(s) or Complaint(s)	Date of Disposition Type of Disposition	Verified Y/N c.
1.	a. _____	_____	_____	_____
	b. _____	_____	_____	_____
	c. _____	_____	_____	_____
2.	a. _____	_____	_____	_____
	b. _____	_____	_____	_____
	c. _____	_____	_____	_____
3.	a. _____	_____	_____	_____
	b. _____	_____	_____	_____
	c. _____	_____	_____	_____
4.	a. _____	_____	_____	_____
	b. _____	_____	_____	_____
	c. _____	_____	_____	_____
5.	a. _____	_____	_____	_____
	b. _____	_____	_____	_____
	c. _____	_____	_____	_____

Use additional sheets if necessary. Please do not use abbreviations or acronyms. Sentencing information should include, but is not limited to: dismissed; diversion program; length of disposition; concurrent/consecutive; length of probation; special rules; community corrections information; etc. Include any probation/parole violations.

C. SUMMARY

See Manual.

V. VICTIM IMPACT INFORMATION

See Manual.

VI. FAMILY BACKGROUND

Only information necessary should be gathered. The object of this section is to collect significant information about the juvenile and the environment in which he/she has developed during his/her formative years. Information included should be tailored to the needs and requirements of each individual report and should be reported in the form of a narrative summary. The following sections and their respective suggested questions will assist the probation officer in collecting pertinent information to gain an overview of the family and portray how the juvenile functions within the family.

A. Maternal History

Include in this section information regarding the juvenile's mother.

Name;	Phone #:
Address	Birth date:
City, State, Zip	Age:
S.S. #:	
Source of information:	
Marital Status:	
Marriages (first to last and age at time of each)	
To Whom _____	When _____ How Long
Mother/juvenile relationship	
Number of Children in home at present time?	
Number of Children in home in earlier years?	
Sources of income	
Employment	
Position	
Wages	
Longevity	
Work history or other types of jobs held	
Education	
Health	
Use of drugs or alcohol	
Religious orientation	
Military experience	
Arrest record including perceived treatment by the criminal justice system.	
Organizational memberships	
Counseling experience or mental health reports	
Childhood history	
Future plans: marriage, residence, education, employment or career	

B. Paternal History

Include in this section information regarding the juvenile's father.

Name;	Phone #:
Address	Birth date:
City, State, Zip	Age:
S.S. #:	
Source of information:	
Marital Status:	
Marriages (first to last and age at time of each)	
To Whom _____	When _____ How Long
Father/juvenile relationship	
Number of Children in home at present time?	
Number of Children in home in earlier times?	
Sources of income	
Employment	
Position	
Wages	
Longevity	
Work history or other types of jobs held	
Education	
Health	
Use of drugs or alcohol	
Religious orientation	
Military experience	
Arrest record including perceived treatment by the criminal justice system.	
Organizational memberships	
Other agency involvement	
Counseling experience or mental health reports	
Childhood history	
Future plans: marriage, residence, education, employment or career	

C. Step-Parent(s) History

If a step-parent is in the home of the juvenile, give as much detail as possible in this section.

Name;	Phone #:
Address	Birth date:
City, State, Zip	Age:
S.S. #:	
Source of information:	
Marital Status:	
Marriages (first to last and age at time of each)	
To Whom _____	When _____ How Long
Step-Parent/juvenile relationship	
Number of Children in home at present time?	
Number of Children in home in earlier years?	

Sources of income
Employment
Position
Wages
Longevity
Work history or other types of jobs held
Education
Health
Use of drugs or alcohol
Religious orientation
Military experience
Arrest record, including perceived treatment by the criminal justice system.
Organizational memberships
Other agency involvement
Counseling experience or mental health reports
Childhood history
Future plans: marriage, residence, education, employment or career

D. Parental Financial Information

EXPENSES

Own property? Y/N Value \$_____

Property Address:_____

Balance owed on property \$_____

Payment on property (per month) \$_____

Rent payment (per month) \$_____

Average **monthly** expenses for:

Gas \$_____ + Electric \$_____ + Water \$_____ +

Phone \$_____ + Cable T.V. \$_____ = \$_____

Food expenses per month \$_____

Medical/Dental expenses per month \$_____

Type of Insurance: _____

Insurance Number: _____

Child support paid per month \$_____

Credit Cards possessed:_____

Total owed on credit cards \$_____

Total monthly credit card payments \$_____

Vehicle #1_____

Value \$_____ Amount owed \$_____

Monthly payment \$_____

Vehicle #2_____

Value \$_____ Amount owed \$_____

Monthly payment \$_____

Other miscellaneous expenses: \$_____

TOTAL MONTHLY EXPENSES from prior page: \$_____

INCOME

Income per month: Father \$_____ + Mother \$_____ = \$_____

Public assistance received per month:

SSI \$_____ + AFDC \$_____ + WIC \$_____ +
Food Stamps \$_____ + Government Housing \$_____ +
Other: _____ \$_____ = \$_____

Other Sources of Income: Child Support \$_____

V.A. Benefits \$_____

Other \$_____

TOTAL MONTHLY INCOME:

\$_____

TOTAL MONTHLY INCOME - EXPENSES = \$_____

Savings/investments worth \$_____

Checking account balance \$_____

Financial Institution: _____

Location: _____

If no income, what is the family's current source of support?:

Total income reported last year \$_____

E. Siblings

This narrative section may include the following:

- Source of information
- Names and ages of the siblings and birth dates
- Siblings' parents names
- Police or court records
- Where residing at the present time, and why
- Employment
- School record or grade achievement
- Relationship to juvenile

F. Family Relationships

- Who is residing in the home with the youth?
- Status of adults--single-parent home, blended family, two parents, etc.
- Who are the primary caretakers?
- Involvement of extended family
- Crisis resources ever used?
- Relationship and attitudes between the youth, relatives and others
- Relationship between adults (harmony or discord)
- Use of drugs or alcohol by family members
- Family activities and use of leisure time
- Parenting style: expectations, rules, and discipline
- Daily schedules of youth and family members
- Overall harmony or discord in the home
- Youth's manageability
- Pertinent family history including upheavals, major accidents, sexual abuse, family violence, parents entering school, natural disaster, suicide, runaway
- Future plans: marriage, residence, education, employment

G. Home and Neighborhood

- Describe the type of dwelling; physical condition inside and outside if possible
- Home's physical condition compared to others in the neighborhood.
- Length of residence
- Buying, renting, other
- Conditions of the dwelling as described by the youth and family
- Sleeping arrangements
- What are the parental expectations and how does the juvenile comply with these, i.e. chores curfew, peers, etc.?
- Describe the parents' attitudes and treatment of the juvenile, i.e. trusting, distrusting, supportive, critical, accepting, rejecting, understanding, bewilderment, and confusion
- Describe the juvenile's attitude and treatment of the parents, i.e. obedient, disobedient, disrespectful, cooperative, demanding, truthful, untruthful
- The economic resources the youth and/or family utilizes

Family socio-economic and crime orientation
Previous residences and reasons for moving
What does child do well in home and/or community?
What does child do that you do not approve of in home and/or community?
Describe how parent/child conflicts are handled, i.e. emotionally, argumentatively, dictatorially, democratically, with reason, understanding and compromise. Where there are two parents, which is dominant; which offers the best control: How inconsistent, appropriate?
Location and description of neighborhood (high/low crime area, unkept/well kept, etc.)
Description of neighborhood children (well-cared for, supervised/neglected, delinquent, etc.)
How do you feel about your child's referral to the court?

H. Community Involvement

What community agencies and/or assistance are involved with the family or with this juvenile?
Reasons for contact
Dates of contact

Examples of community agencies may include, but are not limited to:

- Private residential treatment facilities
- Community Mental Health Centers
- Community Youth Shelters
- Church programs
- Big Brother/Big Sister organizations
- Organized community youth sports programs
- Div. of Family and Youth Services (Welfare) programs
- YMCA/YWCA programs
- etc.

VII. JUVENILE'S BACKGROUND

A. School History

Is the juvenile currently attending school?
Name and location of school.
Report current grade level and status (e.g., attending, suspended, expelled)
What is the juvenile's record of attendance?
Has the juvenile been enrolled in other schools? Where?
Ever suspended? For what reason(s)?
Ever expelled? For what reason(s)?
Has there been disciplinary action which has not led to suspension or expulsion?
If there have been disciplinary actions, have parent/teacher conferences been held?
Is the juvenile classified as needing special educational assistance and/or special classes?
If so classified, is the juvenile actually receiving such assistance? If not, why?
What is the juvenile's educational curriculum (e.g., vocational, college preparatory, business)?
Is the child involved in any school-sponsored sports or other activities, clubs or organizations?
Is the child attending vocational school or other specialized schooling?

What is the child's attitude toward school? Toward education in general?

What, if any, are the child's plans for future education?

What are the parents' attitudes toward the child's education.

If currently or permanently expelled from school, what are the child's plans for his/her future?

B. Employment History

Is the juvenile currently part-time or full-time employed?

Where is the juvenile employed and who is his/her supervisor?

Date hired?

What type(s) of work is he/she doing?

How much does he/she earn? Daily, Weekly, etc.

What are the hours worked?

Does he/she attend work when required?

Is his/her performance of the work acceptable?

What other jobs has the juvenile held?

Dates hired and dismissed? Reasons for dismissal?

What is the juvenile's attitude toward work?

Does the juvenile work because of parent(s) encouragement/requirement, or because of his/her own initiative/desire?

What are the juvenile's plans for future employment?

C. Juvenile's Financial Information

EXPENSES

Own valuable personal property? (e.g., stereo, T.V., jewelry, etc.)

Y/N Value \$_____

Valuable property description:_____

Payment(s) owed on above? (weekly, monthly) \$_____

Child support paid per month (if applicable) \$_____

Vehicle #1_____

Value \$_____ Amount owed \$_____

Monthly payment \$_____

Other miscellaneous expenses:_____ \$_____

TOTAL MONTHLY EXPENSES: \$_____

INCOME

Employment Income per month: Juvenile \$_____ = \$_____

Other Sources of Income: Child Support \$_____

Soc. Sec. Benefits \$_____

Other \$_____

TOTAL MONTHLY INCOME: \$_____

TOTAL MONTHLY INCOME - EXPENSES = \$_____

If no income, what is the juvenile's source of support?

D. Religious Orientation

What is the family's religious or spiritual affiliation? (e.g., Christian, Moslem, Native American, Jewish, etc.) Which denomination?
Name of Church/Mosque/Synagogue/Temple?
What is the length of membership and frequency of attendance?
What is the child's attitude (positive/negative) regarding his/her family's religion, or does he/she have different beliefs/practices?
What significance, if any, has religion had in the juvenile's life?
Has the juvenile ever been involved in a religious cult or experience ritualist abuse?

E. Social Orientation

Did the juvenile undergo a normal birth? (was the birth free of complications?)
Were there any developmental milestones with which the juvenile experienced problems?
-learning to speak
-learning to walk
-bedwetting
-adjusting to kindergarten or elementary school
-ability to make friends and socialize with new acquaintances
How does the juvenile generally interact with peers? With adults?
Who are some of the juvenile's "hero figures?" Have these hero figures had an impact on the behavior/upbringing?
Who else in the juvenile's life has presented either positive or negative influence(s)?
Is the juvenile involved in a Gang?
Could the juvenile be termed as a gang "wanna be?"

F. Physical Health

Present physical condition:

Currently under a physician's care?:

Physician(s) name/address:

Taking any medication?:

Prescription name, number and Pharmacy:

Physical impairment(s):

Past serious illnesses/injuries:

Present effects:

H.I.V. test required for current offense?

Date of test: Test location:

Result: (Positive/Negative)

Does juvenile have health insurance?: Provider:

G. Mental Health

Has juvenile been diagnosed with a mental illness or disorder?:
Description of illness (type, date diagnosed, physician):
Treatment and Prognosis:

Taking any medication?: Reason:
Prescription name, number and Pharmacy:

Has juvenile ever attempted suicide?:
If yes, give details:

Presently in counseling?: Where?
Name of counselor:
Reason(s):

H. Substance Use

Does juvenile use alcohol and/or drugs?:

Type of alcohol/drugs: Age at first use:

Has juvenile ever received education or treatment for substance abuse?:
Give dates, locations and reasons for all education or treatment programs:

How often does the juvenile use alcohol and/or drugs?:

What is the juvenile's alcoholic beverage and/or drug of preference?:

What is the juvenile's attitude toward his/her drinking and/or drug use
and attitude toward positive change?:

Does the juvenile smoke?: How often?:

VIII. EVALUATION/SUMMARY

See Manual.

IX. RECOMMENDATION

See Manual.

APPENDIX C

EXAMPLE PRELIMINARY INQUIRY AND PREDISPOSITIONAL REPORTS

- 1. Standard Preliminary Inquiry**
- 2. Non-Status Predispositional Report**
- 3. Status Predispositional Report**
- 4. Short-Form Predispositional Report**

**PROBATION OFFICERS REPORT OF PRELIMINARY INQUIRY AND/OR
PREDISPOSITIONAL REPORT**

Indiana Code § 31-6-4-7(b) and § 31-6-4-15

Warning: This report is confidential
according to I.C. §31-6-8-1 and may
only be released with specific
authorization.

STATE OF INDIANA
Marion Superior Court, Juvenile Division

Felony probation

In the Matter of: Sarah Smith
A child alleged to be a Delinquent Child

Date Completed: 10/5/93
Assigned P. O.: Bob Jones Report Prepared By: Mike Johnson

JUVENILE INFORMATION

Case No.(s): 25C01-9306-JD-00091 Legal Name: Sarah Nicole Smith
Alias(es)/Nickname(s): Nikki
Custodial Person(s) or Agency: Margaret Smith
Street Address: 203 N. Holmes
City: Indianapolis State: Indiana Zip: 46204
Telephone: None Social Security No.: 123-456-7890
DOB: 5/16/79 POB: Indianapolis, Indiana Age: 14
Race: B Gender: F Ht.: 5'2" Wt.: 98 Eyes: Br Hair: Blk ID Marks: Scar - abdomen
Driver's Lic. No.: N/A
State of Issue: _____ Status: _____

JUVENILE'S LEGAL INVOLVEMENT

☒ Chg(s) pending ☐ Detainer(s) ☒ Inf. Adj. ☒ Probation ☒ Res. Plcmnts ☐ IDOC
☐ DFCS Ward ☐ Violations ☐ Parole ☐ Waived ☐ Adult Status ☒ Other Contacts

DELINQUENT ACT(S) INFORMATION

Alleged Offense: Vehicle Theft Date Committed: 10/4/93 I.C.: 35-43-4-2.5
Class of offense (if committed by an adult): D Felony/Misdemeanor(Circle One)

Alleged Offense: _____ Date Committed: _____
I.C.: _____ Class of offense (if committed by an adult): _____ Felony/Misdemeanor (Circle One)

Alleged Offense: _____ Date Committed: _____
I.C.: _____ Class of offense (if committed by an adult): _____ Felony/Misdemeanor (Circle One)

Referring Agency: Indianapolis Police Dept. Custody Status: Detained - Marion County Juvenile Detention Center
Co-Offender(s)/Status: Lamont Williams - detained, pending initial hearing
Case No.(s): 25C01-9306-JD-00092

PRIOR LEGAL HISTORY

Date of Referral	Charge(s)	Case No.	Disposition (Date/Type)
<u>1/1/92</u>	<u>Minor Poss. Alcohol</u>	<u>25C01-9106-JS-00102</u>	<u>1/1/91 - Informal Adjustment</u>
<u>3/5/92</u>	<u>Criminal Recklessness</u>	<u>25C01-9206-JD-00201</u>	<u>3/21/92 - Probation; placed at IUMCH</u>

EDUCATION, EMPLOYMENT, HEALTH

School: George Washington High School Grade/Status: 9th - suspended Special Educational Classification: ☐ Yes ☒ No Special Educational Placement: ☐ Yes ☒ No

Mental Health Referrals: X Yes No
Physical Problems: Yes X No
Alcohol/Drug Use: X Yes No
Gang Involvement: X Yes No

If the answer is yes to any of the questions in this section, an explanation is required in the "additional information" section.

Employer: None Position: _____
Hours: _____ \$ _____/hr.

FAMILY INFORMATION

Father's Name: John Adams SSN (if available): _____ Address: _____
Unknown Employment: Unknown
Hours: _____
Home Telephone: _____ Work Telephone: _____

Mother's Name: Margaret Smith SSN (if available): 919-91-9191
Address: 203 N. Holmes, Indianapolis, Indiana 46204 Employment: _____
Unemployed Hours: _____
Home Telephone: None Work Telephone: _____

Guardian:
Address: _____ Employment: _____
Hours: _____
Home Telephone: _____ Work Telephone: _____

Significant Other(s): Beatrice Smith Relationship: Grandmother
Address: 203 N. Holmes, Indianapolis, Indiana Employment: _____
Retired Hours: _____
Home Telephone: None Work Telephone: _____

Siblings:

NAME	REL.	AGE	ADDRESS	LEGAL HISTORY
<u>Shawna Smith</u>	<u>HS</u>	<u>16</u>	<u>Same as youth</u>	<u>4/7/92 - DOC</u>
<u>Ravonna Smith</u>	<u>S</u>	<u>15</u>	<u>Same as youth</u>	<u>2/4/93 - Runaway</u> <u>Suzanne</u>
<u>Smith</u>	<u>S</u>	<u>13</u>	<u>Same as youth</u>	<u>None</u> <u>Andre Smith</u>
<u>HB</u>	<u>12</u>	<u>Same as youth</u>	<u>None</u>	

ADDITIONAL INFORMATION

Youth reports she did not know the car was stolen as she believed it belonged to her boyfriend's (co-respondent) grandmother. Youth's grandmother stated that she believes Sarah is involved in a gang and may be using alcohol and illegal drugs. Mother was not present for this interview. Grandmother reports that she rarely comes home and does not know her current whereabouts. Youth is also currently pending denial in Hendricks County for possession of stolen property. She was released on formal home detention on 9/25/94 from Hendricks County.

EVALUATION/SUMMARY

At this point in time, it appears that grandmother is raising Sarah and her siblings. She indicates that mother has a history of substance abuse and disappears for days at a time. Youth states that if she is released she will leave the state with her boyfriend as she believes she will be sent to the Indiana Girls School.

RECOMMENDATIONS

Preliminary Inquiry:

☐ Dismissal

☐ Informal Adjustment

☒ File Petition

☐ Referral to other agency

☐ Warning and Release

☐ Other _____

Reason for recommendation:

Seriousness of offense, prior legal history

Custody Recommendation:

☐ Release to Parent

☐ Formal Home Detention

☒ Juvenile Center

☐ Release to Guardian

☐ Electronic Surveillance

☐ Not in Custody

☐ Informal Home Detention

☐ Shelter Care

☐ Other _____

Comments: Detention is recommended as youth was on formal home detention in Hendricks County at the time of this arrest. In addition, she has expressed intent to run.

Predispositional Report:

If juvenile admits to charge, recommendations for disposition (Complete if applicable): Probation recommends the case be set for disposition in order to complete a predispositional report. Probation also recommends youth be detained pending disposition as mother is not available to provide supervision and grandmother reports no control. Probation also recommends youth complete a substance abuse assessment pending disposition.

**PROBATION OFFICERS REPORT OF PRELIMINARY INQUIRY AND/OR
PREDISPOSITIONAL REPORT**

Warning: This report is confidential according to I.C. §31-6-8-1 and may only be released with specific authorization.

Indiana Code § 31-6-4-7(b) and § 31-6-4-15

STATE OF INDIANA

Wacko County

File per the probation

Superior Court

In the Matter of: John Smith
A child alleged to be a Delinquent Child

Date Completed: 9/25/93

Assigned P. O.: Ernie Grabbits Report Prepared By: Ernie Grabbits

JUVENILE INFORMATION

Case No.(s): 86C01-9309-JD-665 Legal Name: John Smith
Alias(es)/Nickname(s): None
Custodial Person(s) or Agency: Mike and Sue Smith, parents
Street Address: 1800 Wonder Valley South
City: Bowling Green State: Indiana Zip: 47186
Telephone: (219)555-1234 Social Security No.: 305-77-7777
DOB: 5/22/76 POB: Bowling Green, Indiana Age: 17
Race: W Gender: M Ht.: 5'7" Wt.: 145 Eyes: Br Hair: Br
ID Marks: None Driver's Lic. No.: N/A
State of Issue: _____ Status: _____

JUVENILE'S LEGAL INVOLVEMENT

 Chg(s) pending Detainer(s) X Inf. Adj. Probation Res. Plcmnts. IDOC
 DFCS Ward Violations Parole Waived Adult Status X Other Contacts

DELINQUENT ACT(S) INFORMATION

Alleged Offense: Shoplifting Date Committed: 8/22/93 I.C.: 35-43-4-3
Class (if committed by an adult): A Felony/Misdemeanor (Circle One)

Alleged Offense: Criminal Mischief Date Committed: 9/4/93
I.C.: 35-43-1-2 Class (if committed by an adult): A Felony/Misdemeanor (Circle One)

Alleged Offense: Vehicle Theft; Poss. Stolen Property Date Committed: 9/18/93; 9/24/93 I.C.: 35-4-2.5; 35-43-4-2
Class (if committed by an adult): D Felony/Misdemeanor (Circle One)

Referring Agency: Wacko County Sheriff Custody Status: _____
Electronic _____ Home _____ Detention _____
Co-Offender(s)/Status: Alfred Doe - pending disposition
Case No.(s): 86C01-9309-JD-666

PRIOR LEGAL HISTORY

Date of Referral	Charge(s)	Case No.	Disposition (Date/Type)
<u>9/22/92</u>	<u>Curfew</u>	<u>N/A</u>	<u>9/29/92 - Warned and Released</u>
<u> </u>	<u>Incorrigible</u>	<u>86C01-9304-JS-078</u>	<u>4/27/93 - Informal Adjustment</u>

EDUCATION, EMPLOYMENT, HEALTH

School: Bowling Green High School Grade/Status: 11th/withdrew/compl. Special
Educational Classification: ___ Yes X No Special Educational Placement: ___ Yes X No

Mental Health Referrals: X Yes ___ No
Physical Problems: ___ Yes X No
Alcohol/Drug Use: ___ Yes X No
Gang Involvement: ___ Yes X No

If the answer is yes to any of the questions in this
section, an explanation is required in the "additional
information" section.

Employer: Sam's Amoco Filling Station, 111 Elm Street, Bowling Green, IN Position:
Attendant Hours: 16 hrs/week \$ 4.25 /hr.

FAMILY INFORMATION

Father's Name: Mike Smith SSN (if available): _____ Address:
1800 North Wonder Valley, Bowling Green, Indiana 47112 Employment:
Disabled Hours: N/A Home Telephone:
(812)555-1203 Work Telephone: N/A

Mother's Name: Sue Hemmingway Smith SSN (if available): _____
Address: Same Employment:
Administrator for Nurses, Vernon Hospital Hours: 9am - 4pm weekdays Home Telephone:
(812) 555-1203 Work Telephone: (812) 555-3340

Guardian:

Address: _____ Employment:
_____ Hours: _____ Home Telephone:
_____ Work Telephone:

Significant Other(s): Alice Smith Relationship: Grandmother
Address: 1955 North Wonder Valley, Bowling Green, IN 47112
Employment: Retired Hours: _____ Home
Telephone: (812) 555-6789 Work Telephone:

NAME	REL.	AGE	ADDRESS	LEGAL HISTORY
<u>Melissa Ann Smith</u>	<u>S</u>	<u>12</u>	<u>Same as youth</u>	<u>None</u>

ADDITIONAL INFORMATION

Youth attended one appointment at the Wacko County Mental Health Center for a prior referral. Reports indicate that the parents were not willing to participate as needed. Youth indicates a desire to take the GED test and then enter the military. However, due to his age, he would need permission from the court to take the test.

EVALUATION/SUMMARY

John has two prior referrals to this court for status offenses. At this time, it appears that youth is remorseful about his actions. Parents appear to provide adequate supervision but, based on past behaviors, may not follow with recommendations from the court without continued court involvement.

RECOMMENDATIONS

Preliminary Inquiry:

☐ Dismissal

☐ Informal Adjustment

☒ File Petition

☐ Referral to other agency

☐ Warning and Release

☐ Other _____

Reason for recommendation: _____

Seriousness of offense _____

Custody Recommendation:

☒ Release to Parent

☐ Formal Home Detention

☐ Juvenile Center

☐ Release to Guardian

☒ Electronic Surveillance

☐ Not in Custody

☐ Informal Home Detention

☐ Shelter Care

☐ Other _____

Comments: Father is home at all times to provide supervision as he is disabled.

Predispositional Report:

If juvenile admits to charge, recommendations for disposition (Complete if applicable): Probation recommends the case be set for disposition in order to complete a predispositional report.

John Smith
86C01-9309-JD-665

I. COURT INFORMATION

Wacko County Superior Court

Judge Bill Newark, Jr.

Probation Officer: Ernie Grabbits

Prosecutor: Samuel Loven

Address: 99 Public Square, Bowling Green, Indiana 47112

Telephone: (812)555-1446

Defense Attorney: George D. Clar

C.A.S.A./G.A.L.: None

II. SOURCES OF INFORMATION

Mother - Sue Smith

Father - Mike Smith

School Records -- Bowling Green High School

Bowling Green City Police Records

Wacko County Sheriff's Department Records

Wacko County Prosecutor's Records

Wacko County Probation Department Records

Indiana State Police Investigation Records

III. PRESENT OFFENSE

A. Official Version

See Bowling Green City Police case summary of events and the Petition for Delinquency, both attached herein.

B. Juvenile's Version

The juvenile made the following statement:

"We (Alfred Doe and I) got the Cadillac on Labor Day weekend. We had been talking about getting it and so I got the keys to it and Alfred drove it from the lot. We took it out into the county near where Alfred lived. We stored it out there in a barn and then Alfred lost the keys to it. We took the car to possibly sell it later. On Thursday, September 16, Alfred came down to the gas station where I worked and talked with me. I was real upset because my parents had just gotten on me about my grades and they were going to ground me, beginning the weekend. I discussed with Alfred about running away and starting a new life. On Friday morning, September 17, Alfred gave me his Subaru Wagon. We had devised a plan in which he would tell the authorities that I had taken the vehicle after lending him the keys to get something out of the vehicle. I told him I would go to Muncie and spend time there with my friend, Josh Blanton."

"After driving up there, I learned that my friend was coming back to Bowling Green for the weekend so I drove back here too. I stayed in the wagon, near Alfred's house, that night. Alfred happened to see the wagon the next morning and came by to see if I was in it. He told me that he would pick me up that evening and take me to town. It was about 5:00 p.m. when he came by and got me. We left the wagon in the barn where the Cadillac was and went to town. During that evening we decided to get another vehicle since they would be looking for the wagon. We drove by the high school bus compound and I remembered that they usually left the keys in the vans in the compound. Alfred held up the fence while I crawled under it. The first van I checked did not have a key in it but the second van did. I turned the van around, hitting the white van in its side. I then gunned the van and ran through the gate of the compound. We drove the van out into the country and left it in the barn where the other two vehicles were parked."

"We then returned to town and went by the compound again. Alfred decided to take a vehicle this time so I let him out and he went and got another van. He drove that one out and he went and got another van. He drove that one out into the country and to the barn. We both slept that night in the vehicles and the next day I took one of the vans and went back to Muncie in it."

"During the week, I stayed in the van and Josh helped me out with food and clothing. He and I wrote to Alfred and told him to go to my house and get the key to the video store that Josh had made during the summer. We told him to sneak into my house, get the key and go to the video store and get money." (That letter was intercepted by Alfred's parents on the Friday, John was arrested in Muncie.)

"Then on Friday, September 24th, I got picked up for shoplifting some clothes. I told the Muncie Police about the theft of the vans and the Cadillac and they called Wacko Police and reported the incident. Then that evening the Sheriff's Deputy and a State Policeman came to Muncie and got me and brought me back to Bowling Green. I was placed in detention at the Regional Detention Center and held until Tuesday morning when I was released to my parents under house arrest."

IV. PRIOR LEGAL HISTORY

A. Juvenile History

09/22/92 Wacko Co., IN	Curfew Warned & Released	09/29/92	Verified
04/02/93 86C01-9304-JS-078 Wacko Co., IN	Incorrigible Informal Adjustment	04/27/93	Verified

09/24/93 Muncie, IN	Shoplifting Released to custody of Sheriff Dept in Wacko Co., IN	09/24/93	Verified
08/22/93 86C01-9309-JD-665 Wacko Co., IN	Possession of Stolen Property	Pending in this Disposition	Verified
09/04/93 86C01-9309-JD-665 Wacko Co., IN	Theft of Vehicle	Pending in this Disposition	Verified
09/18-19/93 86C01-9309-JD-665 Wacko Co., IN	Theft of 2 Vehicles	Pending in this Disposition	Verified

B. Previous Supervision and/or Placements

John had been warned and released by the Wacko County Probation Officer for his curfew violation in 1992. Then in the Spring of 1993, John was placed on three month Informal Adjustment for the crime of Incurrigible. During that period of time he was to report to the probation department on a regular basis (once per month), complete counseling and pay fees associated with such programs. He reported on four occasions, but did not complete the required counseling.

Following his arrest in Muncie on this delinquency and upon his return to Bowling Green, he was placed in secure detention at the Clark County Regional Detention Center for a period of 3 days. He was released to the custody of his parents following the detention hearing. The court placed John on home detention with electronic monitoring. John has complied completely with the electronic monitoring program.

C. Adult History

None

D. Summary

This juvenile has been before the Probation Department in the past. He was picked up one night at the local Hardees' Restaurant at 2:30 a.m. The probation officer was contacted and his parents were notified. The parents indicated that they had a minor disagreement earlier in the evening and were not aware that he had left the home. His parents indicated that they were willing to deal with the problem and did not need probation's intervention. The juvenile was warned about this behavior and released to his parents.

Then in early Spring of 1993, the probation department was contacted because of his rebellious behavior at home. He was placed on Informal Adjustment for three months and required to attend counseling with his parents.

The juvenile is presently before the court on charges of Shoplifting in Muncie, IN and Possession of Stolen Property, three counts of Auto Theft and Criminal Mischief in Wacko County, IN.

When the juvenile was arrested in Muncie, IN and charged with shoplifting, he confessed to having with him a van that had been stolen from the Bowling Green High School Bus Compound the previous weekend. He also confessed to having assisted in the theft of two other vehicles and the damage to the bus compound.

The juvenile was held in detention pending full investigation of the incidents in Muncie and Wacko, IN.

C. Parental Response

Mr. Smith stated that "every time I hear this story, I just get mad. Me and Mr. Doe have volunteered to pay the fees and restitution for damages to the vehicles. I do have one hard feeling and that is if they had just leveled with us, some of it could have been prevented. I feel John had a chance to make something with his life if he gets in the service. But, if he sits around for half a year or so, he will get himself into something else. He took the GED, after the Judge signed an order allowing him to take it, and he has taken the test to get into the military. He also goes to New Albany on Saturday to take his SAT. According to his military test, there is indication he will be placed in the environmental section which is a good field if he applies himself. As far as the Court system, I thought it would move faster than it did. I'm trying to do what is best for the boy and that is what you would do if it was your boy. I don't condone what they have done. There is no reason for it. He has never been short of money, he had a good job, paying good money, and now he has thrown his life away."

V. VICTIM IMPACT INFORMATION

The Bowling Green Community School System, Mr. James Dobson, the owner of the Cadillac, and their respective insurance companies, wish to be reimbursed for their damages per claims filed with the probation department. Those claim are attached in this report. The total amount of restitution requested is \$5,324.16.

VI. FAMILY BACKGROUND

A. Maternal History

Name: Sue Himmingway Smith Phone#: 555-1206
Address: 1800 Wonder Valley, Bowling Green, IN 47186
Birth date: 9-18-47 Age: 46 SS#: 645-90-1234

Source of Information: Mr. Mike Smith and John Smith

Sue Himmingway Smith was raised in Wacko County, having moved here with her parents at a very early age. She attended Bowling Green High School and Indiana University. She married Mike Smith and they adopted John when he was three years old, thinking they could not have children. Two years later she gave birth to a girl, Melissa Ann.

Sue was a Spanish teacher at Bowling Green High School for approximately 10 years. She also ran a day care center for about 4 to 5 years before becoming the Administrator for Nurses in North Vernon, IN, which she has done for the past 7 years. She is reported to be in good health, uses no drugs or alcohol, and has never been arrested for any criminal offense. She is a member of the Indiana University Alumni Association and is involved in the Indiana Nurses Organization.

John reports that the relationship between him and his mother is fine, but that they fight alot. He states the reason they fight is because John does not do what his mother expects of him and she "gets on him." These are not physical fights, but are usually arguments that go on and on.

B. Paternal History

Name: Mike Smith Phone#: 555-1206
Address: 1800 Wonder Valley S., Bowling Green, IN 47186
Birth date: 10-14-46 Age: 47 SS#: 671-48-1959
Source of Information: Mr. Mike Smith and John Smith.

Mike is a native of Wacko County. After graduation from Bowling Green High School he was married briefly to Beverly Johnson. This marriage ended in divorce after two years due to incompatibility. The relationship produced one child, a son, who is now married and lives in Louisville, KY. There is still contact between Mike and his son when they get the time.

Mike enlisted in the United States Army. He was involved in the Vietnam conflict, advancing to Sergeant, prior to being wounded in action. He lost one leg and severely hurt the other. He was in Walter Reed Army Hospital and Veteran's Hospital for about a year and then was discharged from the Army in 1969 with honors and full disability.

After returning from the Army, he married Sue Himmingway. After trying to have children for two years, they adopted John when he was three years old. Two years after adopting him they had a daughter, Melissa Ann. According to Mr. Smith, ever since Melissa has been born there has been a strain between John and his Mother. There has always been this resentment as to why she adopted a child when she learned she could have one herself.

Mike stated that John is the type of kid that will not listen, saying "He has to push you to the limit before he will do anything." Mike continued, "John goes ahead and does his thing and then he gets caught, he gets on your nerves." This has been his pattern over the years according to Mr. Smith. "I've been over protective of him." "I tried to keep him from trouble and I believe I stood too tight to him, yet, I believe if I had not, he would have been in trouble long before now."

Mike enjoys restoring vehicles although he had farmed for a while after returning from Veterans hospital. He farmed approximately 70 acres, raising cattle and hay. The pain in his leg got to the point that he could not take the pressure any longer. They sold the farm and moved into town. Mike reports that his health is good, except for "what goes with age." He uses no drugs or alcohol, except an occasional social drink, and has never been arrested except for minor traffic offenses. He was active in the Veterans Organization and Random Rider's Car Club, but has slowed down his involvement in these activities in the past few years.

C. Step-Parent(s) History

None

D. Parental Finances

Both of John's parents receive a substantial income. His mother, Sue, is Administrator of Nurses, making \$35,895.00 per year. She receives medical and dental care from the hospital and has very few bills outside the normal grocery and home cleaning supplies.

Mike Smith is receiving total disability compensation and benefits from the Army. He receives approximately \$24,000.00 per year, including stipends for the children. His medical fees are covered by the Veteran's Hospital and he has privileges at Ft. Knox and other military facilities. They reinvested the money made from the sale of their farm into their new house. Their home is modestly decorated and they have no extra ordinary bills or debts. He enjoys customizing vehicles and takes on the task of remodeling several during the year. This also gives him additional income.

E. Siblings

Mike Smith states that his daughter, Melissa Ann, was born on May 1, 1981, just two years after they had adopted John. They had thought that they could not have children at the time they adopted John. Melissa Ann is now twelve years old and is in the 8th grade at Bowling Green Junior High. She has had a difficult time with her brother's involvement with the court. Being from a small community, everyone knows about the incident John is involved in and Melissa Ann has received a great deal of teasing. She is an excellent student, but missed nearly a week of school, due to other children teasing her, after her brother was returned home from detention.

Her relationship with her brother has been strained during this period of time. It is reported that they were quite close prior to his criminal involvement. It is also reported that John was jealous of her because of her relationship with her mother. John has sensed that he really wasn't wanted after Melissa Ann was born. This feeling has been unfounded by this writer, although Mrs. Smith seems to be quite strict with John.

F. Family Relationships

John was adopted when he was three years old. Two years later, a girl was born to Sue & Mike Smith. This addition has caused a great deal of strain on the family. They feel that the bonding of John never occurred and he has always been a problem child.

They state that they love him and feel very close to him, but there are indications these are just "surface feelings" and are not sincere. Both adopted grandparents live in the Bowling Green area and are involved in John's life. These relatives have supported John, although like John's parents, they, too, are not happy about what he did. For leisure time activities, the family typically watches TV or goes boating if the weather permits. John usually worked on Friday and Saturday nights, so there was little time to spend on other things. The parenting style of the family was having expectations of John; rules for him to follow and consistent discipline. As far as on a daily basis, John had worked most afternoons after school at a local gas station.

Mr. Smith states that John has been very manageable except for a few frustrating periods. There have never been any major upheavals, family violence or abuse. The family had talked to this officer in the past regarding the curfew violation, and was also brought before this officer on the Informal Adjustment. At no time did John indicate that his problems at home were getting to the point he would commit a crime to get out of the home. This writer feels that part of John's problem was attention seeking from his mother. He has felt that she was not as close to him as she has been with her daughter.

Since this delinquency involved an offense against the school, John was to be suspended for the remainder of the semester. However, rather than seeing him be suspended, the parents withdrew John and convinced the Court to give them special permission for John to take his GED. John and his family want him to enlist in the Army and leave the Bowling Green area. He has taken the military entrance exam, passing it with a high score.

G. Home and Neighborhood

The Smith family live just on the edge of the Bowling Green City limits in a newly developed area. They have a very nice three bedroom brick ranch-style home. They have lived in this area for the past 6 years. Prior to this location they lived in a country setting approximately 3 miles outside of Bowling Green. Each of the children have their own room and the home is kept very neat and organized. The entire home is a very attractive, well-kept home.

The family has high expectations of John. He is required to comply with chores, curfew and appropriate peer relationships. It is reported that, although John has only a few chores, he has to be "ridden" by his parents to get them done. Generally, John's parents have shown an attitude of trust, support, acceptance and understanding. They have had their normal conflicts with John, but nothing "out of the ordinary."

It is reported by some community members that John's parents have been too strict on John, putting unnecessary pressure on him and grounding him over things that were not major or did not need such action.

There have been several occasions when his parents have caught him sneaking out of the home or doing some things they did not agree with. However, these problems have been generally handled at home, without requesting court intervention. The parents stated to this officer that they were embarrassed that they could not handle their child.

John has been described by Mr. James Dobson, his employer, as a trustworthy person. Mr. Dobson was in absolute shock when he learned that John had been involved in stealing the Cadillac from his gas station lot. John's parents feel that one of the good things John had in his favor was his job.

The parents' main method of discipline with John was "grounding" him. Although John feels that he was grounded unnecessarily at times, his parents feel their actions were justifiable and fair.

Mrs. Smith is perceived as the dominant parent with regard to discipline. John stated to this officer, "When she gets on your ass, she just doesn't get off. She just keeps at it until you either do what she says or you get grounded. She is persistent." John feels that, for the most part, his mother's discipline has been consistent and appropriate.

H. Other Agency Involvement

John's family has never needed or utilized public assistance of any kind. According to John, his parents have always been good providers. Although John and his family have been referred to the local community mental health center for personal and family counseling services, they have not attended.

VII. JUVENILE'S BACKGROUND

A. School History

John has been a student at Bowling Green Community Schools since beginning his school career. He had completed the 10th grade and was enrolled in the 11th grade at Bowling Green High School when the current delinquency occurred. He had a cumulative GPA of 2.929 his freshman year and a 2.696 with 29.5 credits by the end of his sophomore year. Attendance has been good and there were no recorded incidents of behavior problems or other disruptions at school.

B. Employment History

John has worked for the local Amoco filling station for the past year. John would usually work after school each day for a couple of hours and a few hours on weekends. He earned \$4.25 an hour. During this time, his employer, Mr. James Dobson, came to know him as a person he could trust and have confidence in. To say the least, Mr. Dobson was shocked when he learned that John participated in stealing the Cadillac from his filling station lot.

Mr. Dobson has agreed that, should the Court place John on probation, he would be willing to continue employing John. Mr. Dobson would also see that John uses his earnings to pay toward the restitution owed.

C. Juvenile's Financial Information

John worked at his gas station job approximately 16 hours per week, earning \$4.25 per hour. His net weekly pay has been approximately \$51.00, after taxes. John owns a small Sony stereo "rack" system, which he purchased last year for \$450.00. John has no other income or valuable personal property.

D. Religious Orientation

The Smith family is a member of the Southside Christian Church. John and his family attend church once or twice per month. He feels that attending church gives him an opportunity to think and reflect on his actions.

E. Social Orientation

John did not have a large peer group with whom to associate. He primarily "hung out" with just a few individuals. Most of these were within his own age and grade level. One of John's few hobbies was playing golf, but he had ceased doing much of this in the last year or so. His statement was that he had to work all the time, so he had very little time for other things. John also stated that he was in the French Club last school year, but dropped out of it this year.

John has also been active in the local bowling league, where he has an average score of 198. He bowls each Saturday morning in a league at the local bowling center.

F. Physical Health

John is reported to be in excellent health. He has seldom missed school and has had no major illnesses.

G. Mental Health

Earlier this year, John was required to seek counseling with his family at the Wacko County Community Mental Health Center after he was placed on Informal Adjustment for Incurability. The parents went to only one session, but felt that there was nothing the counselor could do for them or John. They did not return for further appointments. The parents believed that "it was just up to (the family) to get John going in the right path."

A preliminary evaluation and discharge summary are attached herein. The counselor, Don Straight, MSW, indicated that the parents appeared somewhat frustrated with John's behavior. However, they did not seem willing to engage in the necessary counseling to overcome their, or John's, problems.

John takes no medication and has never had any suicidal tendencies as far as his parents know.

H. Substance Use/Abuse

John stated that he had consumed alcohol (beer) on only one occasion at the age of 13, on an experimental basis, but has not made a practice of it. He stated that, to his knowledge, he has never taken any illegal drugs. He does not smoke and has never experimented with marijuana. (This officer gave him a urine screen when he was arrested and it was returned as negative in all areas of the test.)

VIII. EVALUATION/SUMMARY

The court has before it a 17 year old, white male who has had two previous encounters with the probation department in the last year. Both of those encounters were status offenses. He is now before the court at this time on charges of Shoplifting, Theft of Vehicles (three counts), Criminal Mischief and Possession of Stolen Property.

John Smith reportedly has had a normal childhood after having been adopted at the age of three. He has made average grades in school during his formative years. According to various friends outside the family structure, his parents have seemingly provided appropriate discipline for him. At other times, however, they have grounded him for no apparent reason, other than that he did not do something exactly as they wished.

Currently at the age of seventeen, he has his learner's permit but not his driver's license. This is due to his parents "making deals" with him in response to his inappropriate behaviors. On one occasion, he was given the choice either to report to probation, or tear up his learner's permit. He chose to tear up his learner's permit.

John's recent school grades have been a big issue with the parents, and especially with his mother. Notably, John and his mother had a bad argument concerning his 6 week grades the evening prior to him leaving his home.

In looking at John's overall delinquent behavior, even though it has been brief, there are a number of facts and circumstances should be chronologized and addressed.

1. Sometime in mid-August, John hid a key in his bedroom at home. This key was to the Video West Establishment, a key which his friend Josh Blanton had illegally duplicated while he was working there. This key would eventually be used to enter the business during the upcoming Christmas vacation. Josh had stated that the owner kept large sums of money there during the holidays.
2. John then participated in stealing a 1985 Cadillac Seville from the Sam's Amoco filling station on Saturday, September 4th or Sunday, September 5, 1993. John not only worked here, but had been entrusted with the business and was looked upon by the owner as a trusted employee. During the weeks following the theft, John worked at the station each afternoon and weekend, continuing to work side by side with the unsuspecting and trusting owner.
3. On Thursday, September 16, 1993, John and Alfred Doe discussed a plan in which John would run away from home. On Friday, September 17, 1993, John took Alfred's 1985 Red Subaru four door station wagon. He drove this vehicle to Muncie, IN, to see his friend, Josh Blanton. Learning that Josh would be coming home for the weekend, John returned to Bowling Green in the Subaru.
4. During the evening and early morning of September 18 and 19th, John and Alfred Doe stole two vans from the Bowling Green Community Schools Bus Compound. Extensive damage was done to the compound gate and fence, including damage to three vans. One of the vans which was not taken was damaged when it was hit by one of the two stolen. The two stolen vans were taken to the country and hidden. John took one of them to Muncie, IN, on Sunday, September 20, 1993.
5. John was soon arrested for shoplifting in Muncie on Friday, September 25, 1993. He confessed about the theft of the vans and told the police about the Cadillac and Subaru which were stored in the barn near Alfred's house.
6. John was then placed in detention over the weekend. On Monday, September 28th, he was released to the custody of his parents, and placed on house arrest with electronic monitor pending his initial hearing.

7. An order was issued by the Court on September 27th allowing John to complete a course of study and all necessary testing so that he may complete his GED.

8. John took his GED exam and scored between the 86th and 99th percentile.

In consideration of the foregoing facts and events, this officer believes that John acted in an extremely irresponsible, careless, reckless and destructive manner. His consideration toward the feelings and property of others was, at a point, non-existent. However, in the past couple of months, John has shown a revived sense of responsibility and remorse for his actions. The parents, as well, have shown more of a willingness to do whatever is necessary to bring the family, and John, back "on track." With this in mind, this officer feels that John may now be able to overcome his more recent delinquent behaviors and begin acting like a young adult. John is honestly embarrassed by his actions, he has already asked for forgiveness from the victims, and he requests the Courts understanding and leniency.

It is this officer's impression, that with proper supervision, family intervention through counseling, and John's acceptance of responsibility through payment of restitution to the victims, John may indeed have an opportunity to become a productive and responsible adult.

IX. RECOMMENDATION

It is this officer's recommendation that the Court commit John Smith to the Indiana Boys' School until age 21. The Court should suspend this commitment and place John on formal probation until age 21, or until earlier release by the Court upon successful completion of the terms of probation. In addition to the all of the regular rules of juvenile probation, the Court should order the following special conditions:

- 1) The juvenile shall complete 150 hours of community service as arranged by the Probation Department.
- 2) He shall write a letter of apology to each of the victims, as approved by the Probation Department.
- 3) The juvenile shall pay restitution to the victims in an amount to be determined by the Court. Should the juvenile's cohort in this matter, Alfred Doe, be placed on probation in the near future, John's responsibility for payment of the restitution may be reduced accordingly.
- 4) The juvenile shall not have regular contact with his cohort, Alfred Doe
- 5) In accordance with the parental participation order, John and his parents should be required to attend and complete counseling through the Wacko County Community Mental Health Center. The parents would be responsible for all costs associated with this requirement.

6) The juvenile should also be ordered to pay the normal \$10.00 monthly probation user fee

Respectfully submitted,

Ernie Grabbits
Chief Probation Officer
Wacko County Circuit/Superior Courts

**PROBATION OFFICERS REPORT OF PRELIMINARY INQUIRY AND/OR
PREDISPOSITIONAL REPORT**

Indiana Code § 31-6-4-7(b) and § 31-6-4-15

Warning: This report is confidential according to I.C. §31-6-8-1 and may only be released with specific authorization.

STATE OF INDIANA
Fulton Circuit/superior Court

File per the probation

In the Matter of: Rufus J. Barnes
A child alleged to be a Delinquent Child

Date Completed: 9/26/93
Assigned P. O.: Ted Conroy Report Prepared By: Ted Conroy

JUVENILE INFORMATION

Case No.(s): 25C01-9306-JD-00072 Legal Name: Rufus Julius Barnes
Alias(es)/Nickname(s): None
Custodial Person(s) or Agency: Jim and Lisa Barnes, parents
Street Address: 1320 Madison Street
City: Rochester State: Indiana Zip: 46755
Telephone: (219)555-1234 Social Security No.: 307-77-7777
DOB: 4/19/80 POB: South Bend, Indiana Age: 13
Race: W Gender: M Ht.: 5'8" Wt.: 155 Eyes: Bl Hair: Bl ID Marks: None
Driver's Lic. No.: N/A
State of Issue: _____ Status: _____

JUVENILE'S LEGAL INVOLVEMENT

 Chg(s) pending Detainer(s) ☒ Inf. Adj. Probation Res. Plcmnts. IDOC
 DFCS Ward Violations Parole Waived Adult Status Other Contacts

DELINQUENT ACT(S) INFORMATION

Alleged Offense: Incorrigibility Date Committed: 9/25/93
I.C.: 31-6-4-1(a)(4) Class (if committed by an adult): Felony/Misdemeanor (Circle One)

Alleged Offense: _____ Date Committed: _____
I.C.: _____ Class (if committed by an adult): Felony/Misdemeanor (Circle One)

Alleged Offense: _____ Date Committed: _____
I.C.: _____ Class (if committed by an adult): Felony/Misdemeanor (Circle One)

Referring Agency: Parents Custody
Status: Released to parents pending initial hearing

Co-Offender(s)/Status: _____
Case No.(s): _____

PRIOR LEGAL HISTORY

Date of Referral	Charge(s)	Case No.	Disposition (Date/Type)
<u>1/3/93</u>	<u>Incorrigibility</u>	<u>25C01-9301-JS-02</u>	<u>1/23/93 - Informal Adjustment</u>

EDUCATION, EMPLOYMENT, HEALTH

School: Rochester Middle School Grade/Status: 7th/ in attendance Special
Educational Classification: Yes No Special Educational Placement: Yes No

Mental Health Referrals: ☒ Yes ☐ No
Physical Problems: ☐ Yes ☒ No
Alcohol/Drug Use: ☒ Yes ☐ No
Gang Involvement: ☐ Yes ☒ No

If the answer is yes to any of the questions in this section, an explanation is required in the "additional information" section.

Employer: See "Additional Information" section Position: _____
Hours: _____ \$ _____/hr.

FAMILY INFORMATION

Father's Name: Jim L. Barnes SSN (if available): _____ Address: 1329 Madison Street, Rochester, IN 46975
Employment: Fulton County Foundry Hours: 7am - 4pm daily Home Telephone: (812)555-4396
Work Telephone: (219) 555-4374

Mother's Name: Lisa A. Barnes (Karrigan) SSN (if available): _____
Address: Same Employment: Housewife
Hours: _____ Home Telephone: Same
Work Telephone: _____

Guardian: _____ Address: _____
Employment: _____
Hours: _____ Home Telephone: _____
Work Telephone: _____

Significant Other(s): Betty Karrigan Relationship: Aunt Address: 665 Greenhill Drive, Rochester, Indiana 46975
Employment: Olympic Fiberglass, Inc. Hours: 8am - 3:30p.m. daily
Home Telephone: (219) 555-3434 Work Telephone: (219) 555-2312

Siblings:

NAME	REL.	AGE	ADDRESS	LEGAL HISTORY
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ADDITIONAL INFORMATION

Youth and his parents were referred to Five County Counseling Center but have failed to attend any scheduled appointments. Youth reports he does not have a substance abuse problem but admits to consuming approximately three bottles of beer per week and smoking one pack of cigarettes per day. In regards to employment, Rufus mows lawns, rakes leaves, and shovels snow for neighborhood families. Of concern is the allegation of sexual abuse by a babysitter made by mother and the subsequent denial by father.

EVALUATION/SUMMARY

Rufus is before the court on a petition alleging Incurability. Although he and his parents have been referred for counseling and parenting classes, they have failed to comply. At this time, it does not appear that parents are providing the appropriate supervision for youth or participating in a treatment plan as needed.

RECOMMENDATIONS

Preliminary Inquiry:

<input type="checkbox"/> Dismissal	<input type="checkbox"/> Referral to other agency
<input type="checkbox"/> Informal Adjustment	<input type="checkbox"/> Warning and Release
<input checked="" type="checkbox"/> File Petition	<input type="checkbox"/> Other _____

Reason for recommendation: Substance abuse issues need to be addressed by court

Custody Recommendation:

<input type="checkbox"/> Release to Parent	<input type="checkbox"/> Release to Guardian	<input type="checkbox"/> Informal Home Detention
<input type="checkbox"/> Formal Home Detention	<input type="checkbox"/> Electronic Surveillance	<input checked="" type="checkbox"/> Shelter Care
<input type="checkbox"/> Juvenile Center	<input type="checkbox"/> Not in Custody	<input type="checkbox"/> Other _____

Comments: Parents have failed to comply with recommendation for counseling and parenting classes. Shelter care is recommended based on sexual abuse allegation

Predispositional Report:

If juvenile admits to charge, recommendations for disposition (Complete if applicable): Probation recommends the case be set for disposition in order to complete a predispositional report. While in shelter care, the allegations of sexual abuse may be explored more fully.

I. COURT INFORMATION

Fulton Circuit/Superior Court

Judge William E. Jones

Probation Officer: Ted Conroy
Address: Fulton County Courthouse, 1st Floor,
Rochester, IN 46975
Telephone: (219)223-4345

Prosecutor: Fred R. Smith

Defense Attorney: Lucy E. Day (Court Appointed)

C.A.S.A./G.A.L.: Rodney Lacy

II. SOURCES OF INFORMATION

Records of Fulton County Probation Department
Records of Rochester Police Department
Records of Rochester Middle School
Records of Kosciusko County Shelter Care, Warsaw, Indiana
Five County Counseling Center, 830 West Main, Rochester, Indiana
Statements of Jim and Lisa Barnes, parents of the Juvenile

III. PRESENT OFFENSE

A. Official Version

The complete official version of the alleged delinquent act can be found in the Delinquency Petition attached onto this report.

B. Juvenile's Version

The Juvenile reported his version to me in the following written statement:

"I just went to be with my girlfriend and my parents were asleep so I didn't want to wake them up so I just left."

He reported that he regrets that he was arrested and placed in shelter care. He stated, "I am ready to go home and I will follow my parents rules even though their rules are stupid."

C. Parent(s) Response

The parents response to the child's negative behavior has been to contact the police when the family is in crisis. They have not required or cooperated with the previous request for parental participation in counseling programs and parenting programs.

IV. PRIOR LEGAL HISTORY

A. Juvenile History

He was referred to the Fulton County Probation Department on January 3, 1993 by the Rochester Police after they investigated a complaint of him leaving the family residence without permission on January 2, 1993, and did not return until January 3, 1993.

The parents made a statement outlining several incidences where the juvenile either left home without permission or did not return home as they had directed him. Thus, the incorrigibility referral was made. On January 23, 1993, a preliminary investigation was conducted and the case was informally adjusted.

He was placed on informal probation by the Fulton Circuit Court in Cause Number 25C01-9301-JD-02 for Six Months. He was directed to follow the general terms of informal probation with the special conditions to submit to a mental health assessment and participate in the treatment plan recommended by the provider. The parents agreed to participate in parenting classes.

B. Previous Supervision and/or Placements

The juvenile has been in temporary sheltercare placement at the Kosciusko County Sheltercare Facility in Warsaw, Indiana since he was placed there by the Court on 10-01-93. Mrs. Jane Smith, Director of the sheltercare program, provided this officer with a written report, dated 10/23/93, which is attached herein. In summary, the report states that the juvenile has been cooperative while in placement and has seemed to respond well to staff authority and program rules.

Mrs. Smith believes that the juvenile, when convinced to do so by the Court, would respond well to similar rules at home. Based on the juvenile's interaction with the sheltercare staff, Mrs. Smith also strongly recommends that the parents participate in parenting classes and family counseling to resolve some of the family issues.

C. Adult History

None

D. Summary

The subject has one previous juvenile referral for incorrigibility which resulted in an informal adjustment.

V. VICTIM IMPACT STATEMENT

Not Applicable

VI. FAMILY BACKGROUND

A. Maternal History

The juvenile's natural mother, Lisa Barnes, resides at the family residence at 1320 Madison Street, Rochester, Indiana. Mrs. Barnes is 35 years of age, and was born in Peru, Indiana on June 3, 1958. She is currently married to the juvenile's natural father, a marriage of 15 years. She is a housewife with a 10th grade education.

B. Paternal History

The juvenile's natural father, Jim Barnes, resides at the family residence at 1320 Madison Street, Rochester, Indiana. He is 40 years of age, and was born in Rochester, Indiana on March 3, 1953. He is employed as a machine repairman at the Fulton County Foundry, an employment of 25 years. Mr. Barnes withdrew from school in the 8th grade to seek employment.

C. Step-Parent(s) History

Not applicable

D. Parental Financial Information

Mrs. Barnes reported that her husband earns \$17.20 per hour in his position as machine repairman at the Fulton County Foundry. He works a minimum of 40 hours per week on the first shift (7:30 a.m. to 5 p.m.), although he "puts in alot of overtime" both on weeknights and on weekends. Mrs. Barnes reported a gross annual income in 1992 of \$48,198.00.

The family owns their own home, valued at \$75,000, on which they have a mortgage of approximately \$30,000. Their monthly payments on the house are \$426.00. The family also owns two cars, a 1991 Chevy Camaro Sport (paid for and valued at \$13,500) and a 1978 Ford Escort (paid for and valued at \$1,000).

Mrs. Barnes reported that her husband controls the checking and savings accounts, and gives her \$200 per week for household expenses and food.

E. Siblings

None

F. Family Relationships

The family consists of three people, the juvenile and his two parents. His mother reports that the family has maintained a close relationship. She described the home to be fairly harmonious up to the time that the juvenile reached age 10.

His mother reports that his change in behavior coincides with an incident where the parents became suspicious of circumstances that occurred between the subject and a male babysitter. His mother suspects that he was either sexually or physically abused by the babysitter. This has not been explored further, apparently, because of the father's reluctance to accept the possibility this may have occurred. The mother has not been willing to go against the father's wishes to not seek treatment for the family and/or child.

G. Home and Neighborhood

The family has lived at their residence for the past five years. The home is neatly kept and sleeping arrangements are adequate. They are a middle-income level family and do not rely on any social services to meet their daily needs. Their lifestyle and health needs are filled entirely through their own resources.

H. Other Agency Involvement

Previous attempts by the probation department were made to convince the family to utilize community assistance for family counseling and parenting services. However, the parents failed to comply.

VII. JUVENILE'S BACKGROUND

A. School History

The juvenile is enrolled at the Rochester Middle School in the 7th grade. His grade level is appropriate for his age and he has never been retrained. He is enrolled in regular main stream courses, with the exception of math. He attends a closed remedial math class and has a tutor to assist him with his studies. His grades for first six weeks of school were: English "C", History "C-", Physical Education "F", Art "B+", and Math "B".

According to school records, he attends school on a regular basis and is active in the school's art club. However, he has been suspended twice this year for fighting. The first suspension was for 3 days, and the second for 5 days. The school vice-principal described him as a "disruptive, anti-authority" student.

B. Employment History

Over the past few years the juvenile has mowed lawns, raked leaves and shoveled snow for neighborhood families. These small jobs were taken by him on his own to earn personal spending money since the parents do not give him a set weekly allowance.

C. Juvenile's Financial Information

Not applicable

D. Religious Orientation

Mrs. Barnes reported that the family is a member of the Main Street United Methodist Church in Rochester. However, the family has seldom attend services in the past few years. Mrs. Barnes claims that their attendance at Sunday church dropped as the result of late Saturday nights bowling in a local league. She further stated that she doubts the lack of attendance has had any negative impact on the family or the juvenile.

E. Social Orientation

Both the juvenile and his parents reported a "normal" childhood, with no delays or problems in childhood development. Some physical and/or sexual abuse by a babysitter is suspected, but has never been investigated. The juvenile has no apparent problem making friends, but does seem to have some problems with getting along with other peers/acquaintances.

F. Physical Health

The juvenile reported his health to be "good". He is not under the care of a doctor and is not receiving any medication. He has not suffered any serious illnesses or injuries.

G. Mental Health

The juvenile is to be attending counseling at Five County Counseling Center in Rochester. He was assessed August 2, 1993 and was referred to individual counseling with staff therapist Bill Jones. Five County reports that the juvenile and parents were contacted on three separate occasions, but the juvenile never attended any of the scheduled appointments. His parents were referred to parenting classes, but have not complied either.

H. Substance Use

The juvenile stated that he does not have a substance abuse problem. However, he reportedly consumes an average of three bottles of beer on a weekly basis and becomes intoxicated on each occasion.

He smokes one pack of cigarettes daily. He described his use of illegal drugs as "I smoke some pot when I got the cash," which tends to be once or twice a month. He stated that his most recent use of pot was the evening prior to this PDR interview.

He denies use of any other illegal substances. He has never been professionally assessed for substance abuse nor has he participated in any program of treatment for such.

VIII. EVALUATION/SUMMARY

In reviewing this investigation on Rufus J. Barnes, this officer finds a white 13 year old male who stands before the Court on a petition alleging Incurability. Following his voluntary admission, the court adjudicated him a delinquent child on October 1, 1993, and ordered that a Predispositional Report be prepared for the dispositional hearing scheduled for October 25, 1993.

As reported earlier in this report, the juvenile has one previous referral for Incurability. He was placed on informal probation and, as part of that probation, he was required to submit to a mental health assessment and follow the general terms of informal probation.

The assessment received from Five County Counseling Center revealed that the juvenile was in need of therapeutic psychological counseling. Although he was referred, he never participated in the recommended program.

He has reportedly heavy involvement in the illegal consumption of alcohol and use of illegal drugs, specifically marijuana. He has been unwilling to accept, and has not complied with, the requirement that he participate in counseling. His parents, having also been referred for community assistance, have not complied with the request of the probation officer to enter into a parenting program. There is also some suspicion of sexual abuse in addition to current the substance abuse issues.

The parents report feeling a severe loss of control. It is believed that, by virtue of the Court's order, some structure could be brought to help initiate some control. At the same time, it seems appropriate for the juvenile to participate in a sexual abuse treatment program, as well as a program for substance abuse. The parents also exhibit the need for a parenting program.

All of this, implemented into a formal probation with a suspended commitment to Boys School, should help curb the possibility of future delinquent behavior. With these thoughts in mind, the following recommendation is made.

IX. RECOMMENDATION

It is recommended that the juvenile, Rufus J. Barnes, be committed to White's Institute in Wabash, Indiana, until the he reaches the age of 18. It is further recommended that the commitment be suspended and the Court place him on formal probation for a period of two years, with the general terms and conditions of probation and the following special conditions:

- 1) That he be required to participate in and successfully complete psychological and emotional counseling as recommended by the Five County Counseling Center.
- 2) That he submit to a substance abuse assessment by the Fulton County Alcohol and Drug Court Program, and follow any recommendation by the evaluator for education and/or treatment.
- 3) He shall waive his right to be free from search and seizure and submit to a breath analysis or urinalysis testing upon the request of the Probation Officer. Any positive finding for an illegal substance shall be deemed a violation of his probation.
- 4) That the child's parents be required to participate in and complete a parenting program as directed by the probation officer, and pay all fees associated with the both the juvenile's and parents' assessment and counseling programs as outlined above.

Respectfully submitted,

Ted F. Conroy
Probation Officer
Fulton Circuit/Superior Courts

**PROBATION OFFICERS REPORT OF PRELIMINARY INQUIRY AND/OR
PREDISPOSITIONAL REPORT**

Warning: This report is confidential according to I.C. §31-6-8-1 and may only be released with specific authorization.

Indiana Code § 31-6-4-7(b) and § 31-6-4-15

STATE OF INDIANA
St. Joseph County Probate Court

False per the probation

In the Matter of: George Robert Jones
A child alleged to be a Delinquent Child

Date Completed: 10/20/93

Assigned P. O.: Kent Clark Report Prepared By: Kent Clark

JUVENILE INFORMATION

Case No.(s): 71J01-9207-JD-8888 Legal Name:

George Robert Jones

Alias(es)/Nickname(s): None Custodial

Person(s) or Agency: Mary Jones, mother

Street Address: 123 S. Main Street

City: South Bend State: Indiana Zip: 46000

Telephone: None Social Security No.: 123-456-7890 DOB: 7/7/77

POB: South Bend, Indiana

Age: 16 Race: W Gender: M Ht.: 5'7" Wt.: 142 Eyes: Br Hair: Br

ID Marks: Skull tattoo - right shoulder Driver's Lic.

No.: N/A State of Issue: _____ Status:

JUVENILE'S LEGAL INVOLVEMENT

Chg(s) pending Detainer(s) Inf. Adj. Probation Res. Plcmnts. IDOC

DFCS Ward Violations Parole Waived Adult Status Other Contacts

DELINQUENT ACT(S) INFORMATION

Alleged Offense: Carrying a handgun without a license Date Committed: 10/19/93 I.C.: 35-47-2-1
Class (if committed by an adult): A Felony/Misdemeanor (Circle One)

Alleged Offense: _____ Date Committed: _____ I.C.: _____
Class (if committed by an adult): _____ Felony/Misdemeanor (Circle One)

Alleged Offense: _____ Date Committed: _____ I.C.: _____
Class (if committed by an adult): _____ Felony/Misdemeanor (Circle One)

Referring Agency: South Bend Police Dept. Custody Status: Detained pending initial hearing

Co-Offender(s)/Status: Mike Smith and John Johnson/detained Case No.(s): 71J01-9207-JD-8889; 71J01-9207-JD-8890

PRIOR LEGAL HISTORY

Date of Referral 2/2/92 Charge(s) Runaway Case No. N/A Disposition (Date/Type) 2/2/93 Warned and Released

EDUCATION, EMPLOYMENT, HEALTH

School: Central High School, South Bend Grade/Status: 9th/Expelled Special Educational Classification: ___ Yes X No Special Educational Placement: ___ Yes X No

Mental Health Referrals: ___ Yes X No

Physical Problems: ___ Yes X No

Alcohol/Drug Use: X Yes ___ No

Gang Involvement: X Yes ___ No

If the answer is yes to any of the questions in this section, an explanation is required in the "additional information" section.

Employer: None Position: _____
Hours: _____ \$ _____/hr.

FAMILY INFORMATION

Father's Name: Unknown SSN (if available): _____ Address: _____
Employment: _____

Hours: _____ Home Telephone: _____
Work Telephone: _____

Mother's Name: Mary Jones SSN (if available): _____
Address: 555 N. First Street, South Bend, Indiana 46325 Employment: _____

Unemployed Hours: _____
Home Telephone: (219) 555-1212 Work Telephone: _____

Guardian: _____
Address: _____ Employment: _____

Hours: _____ Home Telephone: _____
Work Telephone: _____

Significant Other(s): Mary Jamison Relationship: Aunt
Address: 555 N. First Street, South Bend, Indiana 46325 Employment: _____

Finch's Catering Hours: Varies
Home Telephone: (219) 555-3456 Work Telephone: (219) 555-7534

Siblings:

NAME	REL.	AGE	ADDRESS	LEGAL HISTORY
<u>Nicole Jones</u>	<u>S</u>	<u>13</u>	<u>Same as youth</u>	<u>None</u>

ADDITIONAL INFORMATION

Youth admits to having guns in his possession prior to this instance. Mother suspects gang activity and drug/alcohol use by youth. He has participated in in-patient treatment at Charter Hospital but reportedly made minimal progress.

EVALUATION/SUMMARY

At this time, it does not appear that Mother has control of youth in the home. She reports several problems with his behavior. Youth's lack of concern regarding this incident was apparent throughout the interview.

RECOMMENDATIONS

Preliminary Inquiry:

☐ Dismissal

☐ Informal Adjustment

☒ File Petition

☐ Referral to other agency

☐ Warning and Release

☐ Other _____

Reason for recommendation:

_____ Involves weapon; Seriousness of offense

Custody Recommendation:

☐ Release to Parent

☐ Formal Home Detention

☒ Juvenile Center

☐ Release to Guardian

☐ Electronic Surveillance

☐ Not in Custody

☐ Informal Home Detention

☐ Shelter Care

☐ Other _____

Comments: Based on the seriousness of the offense, probation recommends youth be detained pending the next hearing.

Predispositional Report:

If juvenile admits to charge, recommendations for disposition (Complete if applicable): Probation recommends the case be set for disposition in order to complete a predispositional report. Probation also recommends that youth complete a psychological evaluation and a drug/alcohol assessment while detained.

George Robert Jones
71J01-9207-JD-8888

I. COURT INFORMATION

St. Joseph County Probate Court

Judge: Magistrate Howard Dutey

Probation Officer: Kent Clark

Prosecutor: Barney Mueller

Address: 1921 Northside Boulevard, South Bend, Indiana 46615

Telephone: (219)555-9588

Defense Attorney: I. Charles Peters (Public Defender) C.A.S.A./G.A.L.: None

II. SOURCES OF INFORMATION

Records of the St. Joseph County Prosecutor's Office

Records of the St. Joseph County Probate Court

Records of Central High School, South Bend, IN.

Statements of juvenile, George Jones

Statements of Mary Jones, mother of the juvenile

III. PRESENT OFFENSE

A. Official Version

The complete official version of the delinquent acts can be found in the Delinquency Petition, the affidavit for Probable Cause, and the South Bend Police Reports.

B. Juvenile's Version

George related that he was with two friends and they planned to "stick up" an acquaintance who they believed to have some money. George admitted he was in possession of a .357 cal. handgun that one of his friends had given him. He wasn't sure but thought the gun was probably stolen. George related that after talking with the intended victim, they realized he didn't have any money so they didn't try to "stick him up". However, a police car drove past the area and George threw the gun into some bushes in an attempt to hide same. George was then taken into custody and detained. George stated he knew it was wrong to be in possession of the gun but didn't appear to be too concerned about his actions. He also admitted carrying other guns on several occasions.

C. Parental Response

Mary Jones was not very surprised by her son's recent actions. She reported having various behavioral problems with George at home in that he tends to come and go as he pleases and she does not approve of most of his friends. She feels George is very easily influenced and he has a fascination with guns.

IV. PRIOR LEGAL HISTORY

A. Juvenile History

2-2-92 Runaway. Juvenile left mother's home without permission after an argument regarding his purchase of a handgun off the street. Returned home on 2-26-93.
Warning

B. Previous Supervision and/or Placements

N/A

C. Adult History

N/A

D. Summary

N/A

V. VICTIM IMPACT INFORMATION

N/A

VI. FAMILY BACKGROUND

A. Maternal History

Mary Jones was born on April 13, 1955 and grew up in Greeneville, Mississippi. She moved to Chicago at the age of 14 and completed the 11th grade. She is currently unemployed. Although she has two children, she has never been married. According to Ms Jones, she moved the family to South Bend approximately 6 months ago to "find work" and "get out of" the Chicago area.

B. Paternal History

Unknown

C. Parental Financial Information

Ms. Jones is currently unemployed. She receives food stamps in the amount of \$250.00 monthly and \$300 monthly in AFDC assistance. Ms. Jones' pays \$50.00

monthly toward government subsidized rent for their small apartment. She reported that she occasionally makes \$20-\$30 per week babysitting for friends and neighbors.

She has no bank accounts or credit cards. She reported owing \$2800 to the South Bend Regional Hospital, against which she makes \$20 monthly payments.

D. Step-parent History

N/A

E. Siblings

George has one sister, Nicole Jones, 13 years old, who resides with George and his mother in their home in South Bend. Nicole has no criminal record and mother reports no problems with her.

F. Family Relationships

Mother reports that George does not respect her authority and does not abide by her curfew or attend school regularly. His behavior and attitude has deteriorated steadily the past few years and she had hoped the move to South Bend would improve the situation.

Mother stated that George taunts his sister at times and she is afraid of him.

G. Home and Neighborhood

The family resides in the near Northwest side of South Bend in a 2-bedroom, government housing complex. The neighborhood is generally considered to be a high crime area.

H. Other Agency Involvement

George was placed in Charter Hospital 2 months ago by his mother because of behavioral problems. He was released after a 3-week stay and according to his counselor, George's progress was minimal. See attached report for full details.

VII. JUVENILE'S BACKGROUND

A. School History

George is currently enrolled in the 9th grade at Central High School. He has failed all his courses and has missed most of the school year because of truancy.

B. Employer

None

C. Juvenile's Financial Information

N/A

D. Religious Orientation

Mother reported that they are Southern Baptists. Although she attends church regularly with her daughter, George does not attend with them. George stated, "I don't believe much in God...period."

E. Social Orientation

Mother reports having no complications during childbirth with George and he experienced only the normal childhood illnesses. She related that George was a rather quiet child and never really liked attending school. During the last few years his behavior has become hostile and defiant. Mother suspects he is involved in gang activity and that he may be using drugs and alcohol.

F. Physical Health

George is reportedly in good physical health.

G. Mental Health

N/A

H. Substance Use

George admitted drinking alcoholic beverages occasionally and that he has also smoked "dope" a few times. He denied having a problem with any type of substance abuse.

VIII. EVALUATION/SUMMARY

George has previously completed in-patient treatment for behavior problems with no success. His mother is unable to provide the appropriate supervision and control necessary for probation to be effective. George's cavalier attitude and lack of remorse for his actions needs to be addressed. Also the seriousness of the offense and potential threat to the community needs to be considered.

IX. RECOMMENDATION

It is respectfully recommended that George Robert Jones be committed to the Indiana Department of Correction for placement at the Indiana Boy's School.

Respectfully submitted,

Kent Clark
Probation Officer
St. Joseph County Probate Court